

**FINAL ORDER-THIS PRELIMINARY SUMMARY DISPOSITION BECAME THE FINAL ORDER  
OF THE COMMISSION ON FEBRUARY 6, 2023  
PURSUANT TO RULE 21F-18(b)(4) OF THE SECURITIES EXCHANGE ACT OF 1934**

**Notice of Covered Action** [REDACTED]

**PRELIMINARY SUMMARY DISPOSITION  
OF THE OFFICE OF THE WHISTLEBLOWER**

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission received whistleblower award claims from [REDACTED] (“Claimant 1”) and [REDACTED] (“Claimant 2”) (collectively “Claimants”) for the above-referenced matter. Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-18 promulgated thereunder, the Office of the Whistleblower has evaluated the above claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18 and has designated your award application for resolution through the summary disposition process.

The Office of the Whistleblower has preliminarily determined to recommend that the Commission deny the above award claims.<sup>1</sup> The basis for this determination is marked below as follows:

Claimants did not provide information that led to the successful enforcement of the above-referenced Covered Actions within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because any information provided did not, under Rule 21F-4(c)(1) of the Exchange Act: (1) cause the Commission to (a) commence an examination, open or reopen an investigation, or inquire into different conduct as part of a current Commission examination or investigation, and (b) thereafter bring an action based, in whole or in part, on conduct that was the subject of claimants’ information; or (2) significantly contribute to the success of a Commission judicial or administrative enforcement action under Rule 21F- 4(c)(2) of the Exchange Act.<sup>2</sup>

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<sup>1</sup> To the extent Claimants have applied for an award in a related action, because Claimants are not eligible for an award in an SEC Covered Action, they are not eligible for an award in connection with any related action. *See* 15 U.S.C. § 78u-6(b); Exchange Act Rule 21F-3(b), (b)(1); Rule 21F-4(g) and (f); Rule 21F-11(a); *see also* Order Determining Whistleblower Award Claim, Release No. 34-86902 (Sept. 9, 2019).

<sup>2</sup> **Claimants 1 and 2 did not provide information that led to the successful enforcement of the Covered Action. Claimant 1’s information was submitted after the underlying investigation was already open. The information Claimant 1 provided was either not relevant to the investigation, publicly available and already known to the staff, duplicative of information the staff had already received from other sources, or unable to be substantiated. After receiving Claimant 1’s tips, the staff did not communicate or have any in-person meetings with Claimant 1. Claimant 2’s information was submitted after the Commission had filed the Covered Action in federal district court. After receiving Claimant 2’s tips, the staff did not have any communication or in-person meetings with Claimant 2. Claimant 2’s information did not contribute to the staff’s investigation and did not have any impact on the charges brought by the Commission.**

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**Notice of Covered Action** [REDACTED]

Claimant 1 failed to specify in the award application the submission pursuant to Rule 21F-9(a) on which the Claimant 1's claim for an award is based.<sup>3</sup>

By: Office of the Whistleblower

Date: January 5, 2023

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<sup>3</sup> Claimant 1's whistleblower application did not list any specific TCRs, but stated that Claimant 1 submitted "[m]any."