

FINAL ORDER - THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON MARCH 24, 2014 PURSUANT TO RULE 21F-10(f) OF THE EXCHANGE ACT

Notice of Covered Action: 2011-158

SEC v. Video Without Boundaries, Inc. (d/b/a China Logistics Group, Inc.), Vernon Jeffrey Harrell, David J. Aubel, 08-cv-61517-ASG (S.D.F.L. 2011)

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the Securities and Exchange Commission (the “Commission”) received a whistleblower award claim (“Form WB-APP”). Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-10 promulgated thereunder, the Claims Review Staff has evaluated the claims in accordance with the criteria set forth in Rules 21F-1 through 21F-17. The Claims Review Staff has recommended that the Commission make no award to Claimant with respect to Notice of Covered Action 2011-158. The bases for this determination are as follows:

1. Claimant failed to submit the claim for award within ninety (90) days of the above-referenced Notice of Covered Action, as required under Rule 21F-10(a) of the Exchange Act; and
2. Claimant failed to provide “original information” to the Commission, as that term is defined under Rule 21F-4(b)(1) of the Exchange Act, because the information that Claimant argues entitles ... to an award was not provided to the Commission for the first time after July 21, 2010, the date of enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

By: Claims Review Staff

Dated: January 8, 2014