FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON JANUARY 18, 2020 AS TO CLAIMANT 6 RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission (“Commission”) received whistleblower award claims from (Claimant 6).

Pursuant to Section 21F of the Securities Exchange Act of 1934 (“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.
Claimants 5 and 6

The Claims Review Staff has also preliminarily determined to recommend that the Commission deny the award claims of Claimant 6. The basis for this determination is as follows:

Claimants 5 and 6 did not provide information that led to the successful enforcement of the above-referenced Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because their information did not:

a. cause the Commission to commence an examination, open or reopen an investigation, or inquire into different conduct as part of a current Commission examination or investigation, and the Commission brought a successful judicial or administrative action based in whole or in part on conduct that was the subject of the information under Rule 21F-4(c)(1) of the Exchange Act; or

b. significantly contribute to the success of the Covered Action under Rule 21F-4(c)(2) of the Exchange Act.
With respect to Claimants 1 and 6, the Enforcement staff responsible for the Covered Action received no information from them and had no communications with them. 3

By: Claims Review Staff

Date: November 19, 2019

3 We also preliminarily deny Claimant 6’s award claims because Claimant 6 is not a “whistleblower” under Exchange Act Rule 21F-2(a)(1). To qualify as a whistleblower, an individual must (among other things) provide information regarding a potential securities law violation to the Commission in the form and manner that is required by Exchange Act Rule 21F-9(a). Claimant 6 contends in Claimant 6’s award application that Claimant 6 submitted information to authorities in the [redacted] and the number identified on Claimant 6’s award application does not appear to be a Commission TCR number.