Notice of Covered Action: Redacted
Redacted

Redacted

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Covered Action, the Securities and Exchange Commission received whistleblower award claims from the following individuals:

Redacted
("Claimant 1")
Redacted Redacted

Redacted
("Claimant 3")
Redacted Redacted

Redacted Redacted

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 each of these claims in accordance with the criteria set forth in Rules 21F-1 through 21F-17. The Claims Review Staff has preliminarily determined to recommend that the Commission deny all of claimants' award claims. The basis for this preliminary determination is as follows.

A. Claimant 1 failed to submit Claimant 1's claim for award to the Office of the Whistleblower within ninety (90) days of the date of the above-referenced Notice of Covered Action, as required under Rule 21F-10(b) of the Exchange Act.[1]

B. Claimant 3 is not a "whistleblower" under Exchange Act Rule 21F-2(a)(1) with respect to the Covered Action. To qualify as a whistleblower, an individual must provide the Commission with information relating to a possible securities law violation pursuant to the procedures set forth in Exchange Act Rule 21F-9(a). Claimant 3 failed to comply with those procedures because, in each of the six TCRs Claimant 3 submitted to the Commission, Claimant 3 answered "No" to the question, "Are you submitting this tip, complaint or referral pursuant to the SEC's whistleblower program?" As a further consequence, Claimant 3 did not sign the whistleblower declaration required by Exchange Act Rule 21F-9(b) at the time that Claimant 3 submitted Claimant 3's TCRs.

C. None of the claimants provided information that led to the successful enforcement of the 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 the information provided did not:

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1 *See Order Determining Whistleblower Award Claim,* Exchange Act Release No. 77368 (Mar. 14, 2016), *aff'd sub nom. Cerny v. SEC*, 707 F. App'x 29 (2d Cir. 2017), *cert. denied*, 138 S. Ct. 2005 (2018), *reh'g denied*, 138 S. Ct. 2715 (2018). To the extent Claimant 1 claims that Claimant 1 qualifies for a related action, the matter Claimant 1 identified on Claimant 1's WB-APP was not an appropriate related action brought by an enumerated entity as required by Rule 21F-3(b)(1).

1. cause the Commission to (i) commence an examination, (ii) open or reopen an investigation, or (iii) inquire into different conduct as part of a current Commission examination or investigation under Rule 21F-4(c)(1) of the Exchange Act; 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.[2]

By: Claims Review Staff

Date: July 29, 2019

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2 Redacted
Redacted