

**FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER
OF THE COMMISSION ON NOVEMBER 14, 2022
AS TO CLAIMANTS 2 AND 3 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934**

Notice of Covered Action: [REDACTED]
[REDACTED]

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission received a whistleblower award claim from [REDACTED] [REDACTED] (“Claimant 2”), and [REDACTED] (“Claimant 3”) for the above-referenced matter. 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 above claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18.

The Claims Review Staff has preliminarily determined to recommend that the Commission deny the above award claims.¹ The basis for this determination is marked below as follows:

- Claimants [REDACTED] 2, and 3 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.²

¹ To the extent Claimant has applied for an award in a related action, because Claimant is not eligible for an award in an SEC Covered Action, he/she is 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).

² Claimants [REDACTED] 2, and 3 did not provide information that led to the successful enforcement of the Covered Action. The Covered Action investigation was opened based upon information developed in connection with a different investigation, not in response to information provided by any of the Claimants. Further, none of the Claimants significantly contributed to the Covered Action investigation. [REDACTED]

[REDACTED] Claimant 2 submitted his/her tips at least five years after Covered Action investigation was opened and three years after the Covered Action was filed. Investigative staff have no recollection of any discussions or correspondence with Claimant 2 regarding his/her tips. Claimant 3’s tip was submitted approximately one year after the investigation was opened and investigative staff have no recollection of ever communicating with Claimant 3.

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Notice of Covered Action: [REDACTED]

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

By: Claims Review Staff

Date: September 12, 2022

[REDACTED]