

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 89712 / August 31, 2020

WHISTLEBLOWER AWARD PROCEEDING
File No. 2020-27

In the Matter of the Claims for an Award

in connection with

Redacted

Redacted

Redacted

Redacted

Redacted

Notice of Covered Action Redacted

ORDER DETERMINING WHISTLEBLOWER AWARD CLAIM

The Claims Review Staff (“CRS”) issued a Preliminary Determination recommending that Redacted (“Claimant”) receive a whistleblower award of over Redacted which is equal to Redacted of the amounts collected in Redacted and Redacted (“Covered Action”).¹ Claimant provided written notice of Claimant’s decision not to contest the Preliminary Determination.²

After considering the administrative record, we choose to depart from the Preliminary Determination’s recommendation and award Claimant Redacted of the monetary sanctions collected or to be collected in the Covered Action, for a payout of over \$1,250,000.

¹ For the purposes of making an award in this matter, we are treating the enforcement action against the individual respondent together with the action against the company as a single Covered Action, as the proceedings arise out of the same nucleus of operative facts. *See* Rule 21F-4(d).

² Another individual also submitted an award application in connection with the Notice of Covered Action. However, this individual did not contest the preliminary denial of their claim and, as such, the Preliminary Determination with respect to their claim became the Final Order of the Commission through

The record demonstrates that Claimant voluntarily provided original information to the Commission that led to the successful enforcement of the Covered Action.³

Applying the award criteria in Rule 21F-6 of the Securities Exchange Act of 1934 to the specific facts and circumstances here, we find the proposed award amount is appropriate.⁴ In reaching that determination, we positively assessed the following facts: (1) Claimant expeditiously alerted Commission staff to the potential wrongdoing, prompting staff to initiate a cause examination and open an investigation; and (2) there are high law enforcement interests here as Claimant's information helped the agency bring the successful enforcement actions that resulted in the return of millions of dollars to harmed investors. In determining the appropriate award percentage, we also considered that while Claimant's initial information was significant, Claimant was only in the position to provide limited ongoing assistance.

Accordingly, it is hereby ORDERED that Claimant shall receive an award of over \$1,250,000, ^{Redacted} of the monetary sanctions collected in the Covered Action.

By the Commission.

Vanessa A. Countryman
Secretary

operation of Exchange Act Rule 21F-10(f), 17 C.F.R. §240.21F-10 (f).

³ See Securities Exchange Act of 1934 ("Exchange Act") Section 21F(b)(1), 15 U.S.C. § 78u-6(b)(1); Exchange Act Rule 21F-3(a), 17 C.F.R. § 240.21F-3(a).

⁴ In assessing the appropriate award amount, Exchange Act Rule 21F-6 provides that the Commission consider: (1) the significance of information provided to the Commission; (2) the assistance provided in the Commission action; (3) law enforcement interest in deterring violations by granting awards; (4) participation in internal compliance systems; (5) culpability; (6) unreasonable reporting delay; and (7) interference with internal compliance and reporting systems. 17 C.F.R. §240.21F-6.