

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 91207 / February 25, 2021

WHISTLEBLOWER AWARD PROCEEDING
File No. 2021-30

In the Matter of the Claim for an Award

in connection with

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 \$800,000, which represents *** percent (*** %) of the monetary sanctions collected or to be collected in the above-referenced Covered Action (the “Covered Action”). Claimant provided written notice of Claimant’s decision not to contest the Preliminary Determination.

The recommendation of the CRS is adopted. The record demonstrates that Claimant voluntarily provided original information to the Commission that led to the successful enforcement of the Covered Action.¹

Exchange Act Rule 21F-9 sets forth certain procedural requirements that claimants must comply with including, among other things, filing a tip on a Form TCR within 30 days of supplying the information to the Commission, in order to be eligible for a whistleblower award. Exchange Act Rule 21F-9(e) provides for a waiver of this procedural requirement in certain circumstances where: (1) a claimant can demonstrate to the satisfaction of the Commission that he or she complied with the Form TCR requirements within 30 days of first obtaining actual or constructive notice about these requirements (or 30 days from the date a claimant retains counsel

¹ 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).

to represent him or her in connection with the submission of original information to the Commission, whichever occurs first); and (2) the Commission can readily develop an administrative record that unambiguously demonstrates that claimant would otherwise qualify for an award. Here, although Claimant did not file a Form TCR within 30 days of first contacting the Commission, Claimant satisfies Exchange Act Rule 21F-9(e) and is entitled to a waiver of this procedural requirement because the record reflects that Claimant submitted a Form TCR within 30 days of learning of the TCR filing requirement and Claimant otherwise unambiguously qualifies for an award.

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Claimant

participated in an interview with Commission staff and provided documents that provided important evidence of false and misleading statements made to investors. Claimant's information helped the agency return millions of dollars to harmed investors.

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Accordingly, it is hereby ORDERED that Claimant shall receive an award of *** percent (*** %) of the monetary sanctions collected or to be collected in the Covered Action.

By the Commission.

Eduardo A. Aleman
Deputy Secretary

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