

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 95834 / September 20, 2022

WHISTLEBLOWER AWARD PROCEEDING
File No. 2022-86

In the Matter of the Claim for an Award

in connection with

Notice of Covered Action ^{Redacted}
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ORDER DETERMINING WHISTLEBLOWER AWARD CLAIMS

The Claims Review Staff (“CRS”) issued Preliminary Determinations recommending that claimant ^{Redacted} (“Claimant”) receive a whistleblower award equal to ^{***} percent (^{***} %) of the monetary sanctions collected, or to be collected, in the above-referenced Covered Action.¹ The CRS also recommended that Claimant receive a whistleblower award equal to ^{***} percent (^{***} %) of the monetary sanctions collected, or to be collected, in a separate, related action (the “Other Agency Action”) brought by another agency (the “Other Agency”).² The total current

¹ The investigation that gave rise to the Covered Action also gave rise to two pending enforcement actions against ^{Redacted} (the “Company”) ^{Redacted} (collectively, the “Other Actions”), both of which arise from the same nucleus of operative facts as the Covered Action. The Commission directs that, in the event that \$1 million or less of monetary sanctions are ordered in either of the Other Actions, the action be considered part of the Covered Action for the purpose of making an award here.

The Commission may pay an award based on amounts collected in a related action that is based on the same original information that the whistleblower voluntarily provided to the Commission and that led the Commission to obtain monetary sanctions totaling more than \$1 million. ^{Redacted}
^{Redacted} entered into after July 21, 2010, are deemed to be administrative actions that may

whistleblower award to Claimant recommended by the CRS for the Covered Action and the Other Agency Action is \$1.5 million. Claimant did not contest the Preliminary Determinations.

The recommendation of the CRS is adopted. The record demonstrates that Claimant voluntarily provided original information to the Commission, and that this information led to the successful enforcement of the Covered Action and the Other Agency Action.³

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Re da the information Claimant provided to the Commission was valuable, on point, and conserved Commission resources. And Claimant did provide ongoing assistance to the Other Agency.

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be “related actions” that are eligible for a whistleblower award. Here, the Commission finds that Redacted Redacted

Redacted constitute a “related action” within the meaning of Exchange Act Rules 21F-3(b) and 21F-4(d)(3).

See 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). The Commission provided Claimant’s information to the Other Agency, which caused the Other Agency to open its own investigation.

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The Commission finds that further collections in the Covered Action or the Other Agency Action are unlikely, Redacted Redacted

Additionally, in view of the same considerations described above in connection with the Covered Action, the Commission finds it appropriate for Claimant to receive an award of *** % of the monetary sanctions collected in the Other Agency Action.

Accordingly, it is hereby ORDERED that Claimant shall receive an award equal to *** percent (*** %) of the monetary sanctions collected, or to be collected, in the Covered Action and in the Other Agency Action.⁷

By the Commission.

Jill M. Peterson
Assistant Secretary

The Court in the Covered Action deemed the monetary sanctions it ordered against the Company satisfied by the ^{Redacted} in the Other Agency Action. Thus, any monetary sanctions collected by the Other Agency in the Other Agency Action up to the amount of monetary sanctions ordered in the Covered Action shall not be double counted for purposes of paying an award—that is, collections by the Other Agency in the Other Agency Action will not form the basis for payment of another award based on the Other Agency Action unless and until collections exceed the amount of monetary sanctions ordered in the Covered Action. *Cf. Order Determining Claim for Award*, Rel. No. 34-88015 (Jan. 22, 2020).