

**FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER  
OF THE COMMISSION WITH RESPECT TO CLAIMANT #4 ON AUGUST 5, 2015  
PURSUANT TO RULE 21F-10(f) OF THE EXCHANGE ACT**

Redacted

Notice of Covered Action      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 four whistleblower award claims from the following individuals (collectively, the “Claimants”):

- (“Claimant 1”)
- (“Claimant 2”)
- (“Claimant 3”)
- (“Claimant 4”)

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-17. The Claims Review Staff has preliminarily determined to recommend that the Commission deny all of the above award claims. The basis for this determination is as follows:

The Claimants failed to submit their claims for award on Form WB-APP within ninety (90) days of the above-referenced Notice of Covered Action, as required under Rule 21F-10(b) of the Exchange Act in order to be considered for an award, nor did the Claimants demonstrate that the Commission should waive, in its discretion, the filing deadline based on “extraordinary circumstances,” as provided under Rule 21F-8(a) of the Exchange Act,<sup>1</sup> or pursuant to its exemption authority, as provided under Section 36(a) of the Exchange Act.

By:    Claims Review Staff  
Date:  June 5, 2015

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<sup>1</sup> See *In the Matter of the Application of PennMont Securities et al.*, Sec. Exchange Act Rel. No. 61967, 2010 WL 1638720 (April 23, 2010), *aff’d PennMont Securities et al. v. SEC*, 2011 WL 658560 (3d. Cir. 2011) (noting that the “extraordinary circumstance under Rule of Practice 420(b) may be shown where the reason for the failure timely to file was beyond the control of the applicant that causes the delay”); see also Exchange Act Release No. 72659, Whistleblower Award Proceeding File No. 2014-7 (July 23, 2014) (applying the *PennMont* standard and noting that a lack of awareness about the program does not . . . rise to the level of an extraordinary circumstance as a general matter [since] potential claimants bear the ultimate responsibility to learn about the program and to take the appropriate steps to perfect their award applications”).