ORDER DETERMINING WHISTLEBLOWER AWARD CLAIMS

The Claims Review Staff (“CRS”) issued Preliminary Determinations recommending that (“Claimant”) receive a whistleblower award of over $900,000, which is equal to percent (%) of the amounts collected, or to be collected, in both the above-referenced Covered Action (“Covered Action”), and in the related (“Related Actions”). Claimant provided written notice of Claimant’s decision not to contest the Preliminary Determinations.

The recommendations of the CRS are adopted. The record demonstrates that Claimant voluntarily provided the same original information to the Commission and to and that this information led to the successful enforcement of both the Covered Action and the Related Actions. Further, under newly adopted Rule 21F-9(e), a claimant must

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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). See also In the Matter of Claim for Award, Release No. 34-84046 (Sept. 6, 2018) (for a whistleblower to obtain an award in connection with a potential related action, the whistleblower must “demonstrate [that he or she] directly (or through the Commission) voluntarily provided the governmental agency, regulatory authority or self-regulatory
file a TCR within 30 days of providing the Commission with the original information to be relied upon as a basis for claiming an award. However, the Commission shall waive noncompliance with Rules 21F-9(a) and (b) if the claimant demonstrates to the satisfaction of the Commission that he/she complied with the requirements of Rules 21F-9(a) and (b) within 30 days of first obtaining actual or constructive notice about those requirements or 30 days from the date he/she retains counsel to represent him/her in connection with his/her submission of original information, whichever comes first. Here, Claimant satisfies Rule 21F-9(e) because Claimant submitted a Form TCR within days of learning of the TCR filing requirement.

Claimant provided significant information and documents during the course of an ongoing investigation that helped expedite the investigation and contributed to several of the charges in the Covered Action and provided substantial, ongoing assistance to the Enforcement staff by communicating with them on multiple occasions and providing a critical declaration. Because of Claimant’s information and cooperation, the Commission was able to shut down an ongoing scheme preying on retail investors and obtain emergency relief in the action.

Rule 21F-9(a) requires that the information be submitted online through the Commission’s TCR portal or by mailing or faxing a Form TCR to OWB. Rule 21F-9(b) requires a representation, under penalty of perjury, that the information is true and correct.
... Accordingly, it is hereby ORDERED that Claimant shall receive an award of percent (*** %) of the monetary sanctions collected, or to be collected, in both the Covered Action and the Related Actions.

By the Commission.

Eduardo A. Aleman
Deputy Secretary