

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE
FINAL ORDER OF THE COMMISSION ON JUNE 24, 2019 PURSUANT TO
RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action
Notice of Covered Action
Notice of Covered Action
Notice of Covered Action
Notice of Covered Action

Redacted

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notices of Covered Actions, the U.S. Securities and Exchange Commission received whistleblower award claims from Redacted (“Claimant”).

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 the above award claims. The basis for this determination is as follows.

Claimant did not provide information that led to the successful enforcement of the above-referenced Covered Actions within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because the information provided did not:

1. cause the Commission to (i) commence an examination, (ii) open or reopen an investigation, or (iii) inquire into different conduct as part of a current Commission examination or investigation under Rule 21F-4(c)(1) of the Exchange Act; or
2. significantly contribute to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.

In reaching this preliminary recommendation, we note that the record shows that staff in the Commission’s Office of Investor Education and Advocacy closed Claimant’s tips with a disposition of no further action planned or NFA, and did not forward the tips to Enforcement staff in connection with any matter, including the Covered Actions.

Further, with respect to Covered Actions Redacted and Redacted Claimant failed to submit the claims for award to the Office of the Whistleblower within ninety (90) days of the respective dates of the above-referenced Notices for those Covered Actions, as required under Rule 21F-10(b) of the Exchange Act.¹

By: Claims Review Staff
Date: April 25, 2019

¹ See Order Determining Whistleblower Award Claim, Release No. 34-77368 (Mar. 14, 2016), *pet. for rev. denied sub nom. Cerny v. SEC*, 708 F. App’x 29 (2d Cir. Sept. 7, 2017), *cert. denied*, 138 S.Ct. 2005 (2018).