

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAUSE THE FINAL ORDER OF THE COMMISSION ON OCTOBER 19, 2023 AS TO CLAIMANT 2 PURSUANT TO RULE 21F-18(b)(4) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action: [REDACTED]

Reference No. 10192023

**PRELIMINARY SUMMARY DISPOSITIONS
OF THE OFFICE OF THE WHISTLEBLOWER**

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission (“Commission”) received whistleblower award claims from [REDACTED] and [REDACTED] (“Claimant 2”) for the above referenced matter. Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-18 promulgated thereunder, the Office of the Whistleblower has evaluated the above claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18 and has designated your award applications for resolution through the summary disposition process.

The Office of the Whistleblower has preliminarily determined to recommend that the Commission deny the above award claims.¹ The basis for this determination is marked below as follows:

The information provided by Claimants was never provided to or used by staff handling the Covered Action or underlying investigation and those staff members otherwise had no contact with Claimants. Therefore, Claimants did not provide information that led to the successful enforcement of the above-referenced Covered Action(s) 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.²

Claimant 2 failed to comply with the requirements of Rule 21F-9 of the Exchange Act when submitting the tip upon which the award claim is based, and Claimant 2 is not eligible for a

¹ To the extent Claimants have applied for an award in a related action, because Claimants are not eligible for an award in an SEC Covered Action, they are not eligible for an award in connection with any related action. *See* 15 U.S.C. § 78u-6(b); Exchange Act Rule 21F-3(b), (b)(1); Rule 21F-4(g) and (f); Rule 21F-11(a); *see also* Order Determining Whistleblower Award Claim, Release No. 34-86902 (Sept. 9, 2019).

² Enforcement staff responsible for the Covered Action did not receive or review information from, or have communication with, [REDACTED] or Claimant 2 before or during the course of the Covered Action investigation.

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waiver under either Rule 21F-9(e) or the Commission's other waiver authorities.³

By: Office of the Whistleblower

Date: September 19, 2023

³ Claimant 2 fails to cite a TCR number in his/her whistleblower award application. We were unable to locate any TCR submitted by Claimant 2 relating to the Covered Action.