

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON NOVEMBER 6, 2018 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action ^{Redacted}
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 a whistleblower award claim 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 claim 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 an award to Claimant because Claimant did not provide information that led to the successful enforcement of the above-referenced Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c). Specifically, the information did not:

1. cause the Commission to commence an examination, open or reopen an investigation, or 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 determination, we note that the record reflects that Enforcement staff responsible for the Covered Action opened the investigation approximately fifteen months prior to receiving Claimant’s initial submission, and that much of Claimant’s information was duplicative of information that Enforcement staff had already obtained or learned prior to receiving Claimant’s submission. Additionally, Claimant’s second submission was provided months after the Commission’s complaint in the Covered Action was filed. Although the second submission was received while staff was engaged in the settlement process, none of Claimant’s information was used in or in any way contributed to the settlement process.

By: Claims Review Staff

Date: September 7, 2018