

**FINAL ORDER-THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON DECEMBER 11, 2022 AS TO CLAIMANT 3 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934**

Notice of Covered Action: [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

[REDACTED]

[REDACTED]

**PRELIMINARY DETERMINATIONS OF THE CLAIMS REVIEW STAFF**

In response to the above-referenced Notices of Covered Action, the Securities and Exchange Commission (“Commission”) received whistleblower award claims from [REDACTED] and [REDACTED] [REDACTED] for the three above-referenced SEC enforcement actions (“Covered Actions”) and the above-referenced action brought by the [REDACTED]. The Commission also received a whistleblower award claim from [REDACTED] (“Claimant 3”) in the [REDACTED]. Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rules 21F-10 and 21F-11 promulgated thereunder, the Claims Review Staff has evaluated the claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18. The Claims Review Staff sets forth its Preliminary Determinations as follows:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Notice of Covered Action: [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

Notice of Covered Action: [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

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[REDACTED]

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Notice of Covered Action: [REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

Notice of Covered Action: [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

[REDACTED]

Notice of Covered Action [REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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**Notice of Covered Action** [REDACTED]

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[REDACTED] (“Claimant 3”)

The Claims Review Staff has preliminarily determined to recommend that the Commission deny an award to Claimant 3 for the reasons described below.

Claimant 3 was a [REDACTED] for [REDACTED] (the “Company”). Claimant 3 submitted a Form WB-APP on [REDACTED]. The deadline for filing award claims in the [REDACTED] was [REDACTED]. As such, Claimant 3 submitted an untimely award application because Claimant 3 failed to submit the claim for award to the Office of the Whistleblower within ninety (90) days of the date of the above-referenced Notice of Covered Action, as required under Rule 21F-10(b) of the Exchange Act.

Claimant 3 also did not submit a Form TCR as required under the Commission’s rules. Under Rule 21F-2(b), to be eligible for a whistleblower award, claimants are required to submit their information in the form and manner required by Rule 21F-9. Claimant 3 did not submit information either on Form TCR or online through the Commission’s website, as required by Rule 21F-9(a), and did not sign the required whistleblower declaration, as required by Rule 21F-9(b). Claimant 3 has never submitted a Form TCR in connection with the [REDACTED]. Claimant 3 also is not eligible for the automatic waiver under Rule 21F-9(e) because the record does not unambiguously reflect that Claimant 3 would otherwise be eligible for an award.

Finally, Claimant 3 did not provide information that led to the successful enforcement of the [REDACTED] within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because any information Claimant 3 provided did not: (1) cause the Commission to (i) commence an examination, (ii) open or reopen an investigation, or

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**Notice of Covered Action** [REDACTED]

**Notice of Covered Action** [REDACTED]

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(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.<sup>9</sup>

By: Claims Review Staff

Date: October 11, 2022

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<sup>9</sup> In the Form WB-APP, Claimant 3 asserts a claim for award from the “US Trustee.” While it is unclear what “US Trustee” refers to, Claimant 3 is not eligible for an award in connection with a related action because Claimant 3 is not eligible for an award in a Commission Covered Action.