

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON MARCH 25, 2024 AS TO CLAIMANT 2, CLAIMANT 3, AND CLAIMANT 4 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action [REDACTED]

Reference Number: 03252024

PRELIMINARY DETERMINATIONS OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the Securities and Exchange Commission (“Commission”) received whistleblower award claims from claimants [REDACTED] (“Claimant 2”), [REDACTED] (“Claimant 3”); and [REDACTED] (“Claimant 4”) (collectively, “Claimants”) for the above-referenced Covered Action. Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-10 promulgated thereunder, the Claims Review Staff (“CRS”) has evaluated these claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18. The CRS sets forth its Preliminary Determinations for the award claimants as follows.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Notice of Covered Action

Claimant 2

The CRS has preliminarily determined to recommend that the Commission deny an award to Claimant 2. No information submitted by Claimant 2 led to the successful enforcement of the Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) because none of the information that Claimant 2 submitted:

1. caused 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 contributed to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.

In making this determination, the CRS notes that the staff did not recall receiving, reviewing, or using any information provided by Claimant 2. The TCR System indicates that Claimant 2's TCR was not forwarded to Enforcement staff responsible for the investigation.

Claimant 3

The CRS has preliminarily determined to recommend that the Commission deny an award to Claimant 3. No information submitted by Claimant 3 led to the successful enforcement of the Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) because none of the information that Claimant 3 submitted:

1. caused 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 contributed to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.

In making this determination, the CRS notes that the staff did not recall receiving, reviewing, or using any information provided by Claimant 3. The TCR System indicates that Claimant 3's TCR was not forwarded to Enforcement staff responsible for the investigation.

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Notice of Covered Action [REDACTED]

Claimant 4

The CRS has preliminarily determined to recommend that the Commission deny an award to Claimant 4. No information submitted by Claimant 4 led to the successful enforcement of the Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) because none of the information that Claimant 4 submitted:

1. caused 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 contributed to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.

In making this determination, the CRS notes that Claimant 4's TCR was submitted after the Covered Action was filed. The staff also did not recall receiving, reviewing, or using any information provided by Claimant 4. The TCR System indicates that Claimant 4's TCR was not forwarded to Enforcement staff responsible for the investigation.

In addition, the CRS preliminarily recommends to deny an award to Claimant 4 on the separate ground that Claimant 4 failed to submit an application for award within 90 days of the date of the Notice of Covered Action. Notice of Covered Action [REDACTED] was published on the Office of the Whistleblower's website on [REDACTED], and the deadline to submit claims was [REDACTED]. Claimant 4 submitted WB-APPs on [REDACTED] and [REDACTED], more than two weeks after the deadline had passed.

By: Claims Review Staff

Date: January 23, 2024