

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER
OF THE COMMISSION ON JULY 6, 2020 WITH RESPECT TO CLAIMANT #3
PURSUANT TO RULE 21F-10(f) OF THE EXCHANGE ACT

Notice of Covered Action [REDACTED]
[REDACTED]

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the Securities and Exchange Commission (the “Commission”) received three timely whistleblower award claims. 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 each of these claims in accordance with the criteria set forth in Rules 21F-1 through 21F-17. The Claims Review Staff sets forth its Preliminary Determination for each award claimant as follows.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (Claimant #3)

The Claims Review Staff has preliminarily determined to recommend that the Commission deny the award claims of [REDACTED] Claimant #3. Neither [REDACTED] Claimant #3 provided 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) thereunder because the information they provided did not, under Rule 21F-4(c)(1) of the Exchange Act:

(1) cause the Commission to (a) commence an examination, open or reopen an investigation, or inquire into different conduct as part of a current Commission examination or investigation, and (b) thereafter bring an action based, in whole or in part, on conduct that was the subject of claimant's information; or

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(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 reflects that the investigation that led to the Covered Action was not opened based on information provided by either [REDACTED] Claimant #3.

[REDACTED]

With respect to Claimant #3, the record shows that Claimant #3 also submitted a tip nearly 3 years after the investigation was opened. Although staff interviewed Claimant #3, staff was already aware of the information provided by Claimant #3 and, therefore, the information did not contribute to the success of the Covered Action.

By: Claims Review Staff

Dated: April 23, 2020