

FINAL ORDER-THIS PRELIMINARY SUMMARY DISPOSITION BECAME THE FINAL
ORDER OF THE COMMISSION ON OCTOBER 16, 2022 AS TO CLAIMANT 1 PURSUANT TO
RULE 21F-18(b)(4) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action: [REDACTED]

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] (“Claimant 1”), [REDACTED] and [REDACTED],” and collectively “Claimants”) 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 bases 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

[REDACTED] 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 [REDACTED] is not eligible

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 Investigative staff responsible for the Covered Action never received or reviewed any information from Claimants or had any communications with Claimants. As such, Claimants did not provide any information that was used in, or otherwise had any impact on, the investigation or resulting Covered Action.

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Notice of Covered Action: [REDACTED]

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

[REDACTED] failed to specify in the award application the submission pursuant to Rule 21F-9(a) on which the [REDACTED] claim for an award is based.

Nicole C. Kelly
N. Creola Kelly
Chief, Office of the Whistleblower

Dated: September 16, 2022

³ [REDACTED] failed to identify a TCR number on [REDACTED] award application and investigative staff was unable to identify a Form TCR submitted by [REDACTED] related to the Covered Action.