

FINAL ORDER- THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION WITH RESPECT TO CLAIMANTS 8, 9, AND 11 ON SEPTEMBER 25, 2023 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934

Notice of Covered Action [REDACTED]

Reference Number: 09252023

PRELIMINARY DETERMINATIONS OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the Securities and Exchange Commission (“Commission”) received eleven whistleblower award claims for the above-referenced SEC enforcement action (“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 has evaluated each of these claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18. The Claims Review Staff sets forth its Preliminary Determination for each award claimant as follows:

[REDACTED]

[REDACTED]

¹ [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

² [REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] (Claimant 8), [REDACTED] (Claimant 9), [REDACTED]
[REDACTED] (Claimant 11)

³ [REDACTED]

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The CRS has preliminarily determined to recommend that the Commission deny an award to Claimants 8, 9, [REDACTED] and 11. No information submitted by Claimant 8, 9, [REDACTED] or 11 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 their information:

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 the determination, the CRS notes that the record reflects that the information submitted by Claimants 8, 9, [REDACTED] and 11, respectively, did not cause the opening of the Covered Action investigation, which was opened based on a news report. Additionally, none of the information submitted by Claimants 8, 9, [REDACTED] or 11, respectively, contributed to the success of the Covered Action. Enforcement staff responsible for the Covered Action did not receive or review information submitted by Claimants 8, 9, [REDACTED] or 11, respectively, or communicate with them. Therefore, information submitted by Claimants 8, 9, [REDACTED] and 11 had no impact on the staff's investigation or the Covered Action.⁴

By: Claims Review Staff

Date: July 26, 2023

⁴ Because Claimants 8, 9, [REDACTED] and 11 are not eligible for an award in an SEC Covered Action, they are not eligible for an award in a related action. *See Order Determining Whistleblower Award Claims*, Exchange Act Release No. 86902 (Sept. 9, 2019). Additionally, the settled civil action brought by [REDACTED] is a state civil action, and as such, does not qualify as a related action under the Commission's whistleblower rules. *See* Rules 21F-3(b)(1); 21F-11(a).