

FINAL ORDER - THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON FEBRUARY 13, 2015 PURSUANT TO RULE 21F-10(f) OF THE EXCHANGE ACT

SEC v. George Wesley Harris, et al., No. 3:09-cv-01809-M (N.D. Tex. 2009)
Notice of Covered Action 2011-206

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission (the “Commission”) received a timely whistleblower award claim from Claimant (the “Claimant”). 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 this claim in accordance with the criteria set forth in Rules 21F-1 through 21F-17.

The Claims Review Staff has preliminarily determined to recommend that the Commission deny an award to Claimant based on the following:¹

1. Claimant did not provide information that led to the successful enforcement of the above-referenced Notice of Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a) and 21F-4(c) thereunder because it did not:
 - a. 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
 - b. significantly contribute to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.
2. Claimant also did not provide the Commission with original information within the meaning for Section 21F(b)(1) of the Exchange Act because Claimant’s submission was not derived from Claimant’s independent knowledge or independent analysis.

By: Claims Review Staff

Date: December 15, 2014

¹ It should be noted that Claimant signed a declaration under penalty of perjury that information provided on the Form WB-APP was “true, correct and complete.” Claimant made clear false and fictitious statements on the Form WB-APP by stating that Claimant was “the 44th President of the United States.” If Claimant makes any more false and fictitious statements in any filing with Commission, the Claims Review Staff will consider recommending that the Commission, pursuant to Rule 21F-8(c)(7) under the Exchange Act, determine that Claimant is ineligible for any pending or future whistleblower awards. *See* Final Order (May 12, 2014), available at <http://www.sec.gov/about/offices/owb/orders/owb-multiple-final-051214.pdf>.