

**FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON SEPTEMBER 29, 2021 AS TO CLAIMANT 3 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934**

Notice of Covered Action [REDACTED]

[REDACTED]

[REDACTED]

**PRELIMINARY DETERMINATIONS OF THE CLAIMS REVIEW STAFF**

In response to the above-referenced Notice of Covered Action, the Securities and Exchange Commission (“Commission”) received timely whistleblower award claims from

[REDACTED]

(“Claimant 3”) for the above-referenced Commission enforcement action (“Covered Action”) as well as

[REDACTED]

[REDACTED]

[REDACTED] (the “Criminal Action”). Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rules 21F-10 and 21F-11 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]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**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.<sup>2</sup>

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<sup>2</sup> In addition, Claimant 3 applied for a related action award in connection with the Criminal Action. Because Claimant 3 does not qualify for an award in the Covered Action, the request for a related action award is denied. A related action award may be made only if, among other things, the claimant satisfies the eligibility criteria for an award for the applicable covered action in the first instance. *See* 15 U.S.C. § 78u-6(b); Exchange Act Rule 21F-3(b), (b)(1); Rule 21F-4(g) and (f), and Rule 21F-11(a); Order Determining Whistleblower Award Claims, Release No. 34-84506 (Oct. 30, 2018); Order Determining Whistleblower Award Claims, Release No. 34-84503 (Oct. 30, 2018).

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[REDACTED]

In making this determination, the CRS notes that the record demonstrates that the investigation that resulted in the Covered Action was not opened based on information provided by Claimant 3. Further, Claimant 3’s information did not significantly contribute to the success of the Covered Action as it related to alleged misconduct in a geographic region that was not part of the Covered Action, and which Commission staff could not substantiate.<sup>3</sup>

By: Claims Review Staff

Date: September 27, 2021

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<sup>3</sup> See 17 C.F.R. §§ 240.21F-3(b), 240.21F-11(a); *see also* Order Determining Whistleblower Award Claim, Release No. 34-86902 (Sept. 9, 2019).