

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 72301 / June 3, 2014

WHISTLEBLOWER AWARD PROCEEDING
File No. 2014-5

In the Matter of the Claim for Award

in connection with

Redacted

Redacted

Notice of Covered Action Redacted

ORDER DETERMINING WHISTLEBLOWER AWARD CLAIM

On April 7, 2014, the Claims Review Staff issued a Preliminary Determination related to Notice of Covered Action Redacted (the "Covered Action"). The Preliminary Determination recommended that Claimant #1 and Claimant #2 each receive a whistleblower award because, acting in concert, they voluntarily provided original information to the Commission that led to the successful enforcement of the Covered Action pursuant to Section 21F(b)(1) of the Securities Exchange Act of 1934 (the "Exchange Act"), 15 U.S.C. § 78u-6(b)(1), and Rule 21F-3(a) thereunder, 17 C.F.R. § 240.21 F-3(a). Further, the Claims Review Staff recommended that such award be set in the amount of thirty percent (30%), in total, (split evenly at 15% each) of the monetary sanctions collected or to be collected in the Covered Action. In arriving at this recommendation, the Claims Review Staff considered the factors set forth in Rule 21F-6, 17 C.F.R. § 240.21 F-6, in relation to the facts and circumstances of Claimant #1 's and Claimant #2 's applications.

On April 7, 2014, Claimant #1 and Claimant #2 provided written notice to the Commission of their decisions not to contest the Preliminary Determination within the 60-day deadline set out in Rule 21F-10(e) promulgated under the Exchange Act, 17 C.F.R. § 240.21F-10(e), and, pursuant to Rule 21F-10(f) thereunder, 17 C.F.R. § 240.21F-10(f), the Preliminary Determination became the Proposed Final Determination of the Claims Review Staff.

Upon due consideration under Rule 21F-10(f) and (h), 17 C.F.R. § 240.21F-10(f) and (h), and for the reasons set forth in the Proposed Final Determination, it is hereby ORDERED that Claimant #1 and Claimant #2 shall each receive an award of fifteen percent (15%) for a total of thirty percent (30%) of the monetary sanctions collected in this Covered Action, including any

monetary sanctions collected after the date of this Order.¹

By the Commission.

Kevin M. O'Neill
Deputy Secretary

¹ A portion of the disgorgement and prejudgment interest ordered to be paid in the Covered Action was "deemed satisfied" by Respondents' payment of that amount pursuant to a civil action brought by Redacted

Redacted

and shall be included in our calculation of the award payment to the claimants here. We interpret Section 21 F(b)(1) of the Exchange Act, which provides for payment of awards based on "what has been collected of the monetary sanctions" imposed in a Commission Covered Action, to include amounts that are deemed satisfied when collected in actions brought by other governmental authorities.