

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 96736 / January 23, 2023

ADMINISTRATIVE PROCEEDING
File No. 3-20687

In the Matter of

Nikola Corporation,

Respondent.

ORDER APPOINTING
TAX ADMINISTRATOR

On May 4, 2022, the Commission issued an Omnibus Order Directing the Engagement of Two Tax Administrators for Appointment on a Case-By-Case Basis in Administrative Proceedings that Establish Distribution Funds (the “Omnibus Order”).¹ The Omnibus Order engaged Miller Kaplan Arase LLP and Heffler, Radetich & Saitta, LLP (“HRS”) to serve as the Commission’s tax administrator (“Tax Administrator”), for selection and appointment on an individual case basis, for calendar years 2022 through 2024 in administrative proceedings where the distribution fund may incur tax-related obligations as a Qualified Settlement Fund (“QSF”) under the Department of the Treasury Regulation § 1.468B-1(c).

The Director of the Division of Enforcement is authorized to appoint a Tax Administrator pursuant to the Omnibus Order.² The Commission staff has requested the appointment of HRS as the Tax Administrator for the QSF in the above-referenced proceeding.

Accordingly, IT IS ORDERED that, pursuant to the Omnibus Order, HRS is appointed as the Tax Administrator for the QSF in the above-referenced proceeding.

For the Commission, by the Division of Enforcement, pursuant to delegated authority.³

Vanessa A. Countryman
Secretary

¹ Exchange Act Rel. No. 94845 (May 4, 2022).

² See Delegation of Authority to Director of the Division of Enforcement, Securities Act Rel. No. 10900 (Dec. 10, 2020).

³ 17 C.F.R. § 200.30-4(a)(21)(ii).