

**FINAL ORDER-THIS PRELIMINARY SUMMARY DISPOSITION BECAME THE
FINAL ORDER OF THE COMMISSION ON APRIL 1, 2024 PURSUANT TO
RULE 21F-18(b)(4) OF THE SECURITIES EXCHANGE ACT OF 1934**

Notice of Covered Action: [REDACTED]

Reference No. 04012024A

**PRELIMINARY SUMMARY DISPOSITION
OF THE OFFICE OF THE WHISTLEBLOWER**

In response to the above-referenced Notice(s) of Covered Action, the U.S. Securities and Exchange Commission (“Commission”) received a whistleblower award claim(s) from [REDACTED] (“Claimant”) for the above referenced matter(s). Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-18 promulgated thereunder, the Office of the Whistleblower has evaluated the above claim(s) in accordance with the criteria set forth in Rules 21F-1 through 21F-18 and has designated your award application(s) for resolution through the summary disposition process.

The Office of the Whistleblower has preliminarily determined to recommend that the Commission deny the above award claim(s).¹ The basis for this determination is marked below as follows:

- The information provided by Claimant was never provided to or used by staff handling the Covered Action or underlying investigation, and those staff members otherwise had no contact with Claimant. Therefore, Claimant did not provide information that led to the successful enforcement of the above-referenced Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because the information provided did not: (1) 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 (2) significantly contribute to the success of a Commission judicial or administrative enforcement action under Rule 21F-4(c)(2) of the Exchange Act.²

¹ To the extent Claimants have applied for an award in a related action because Claimants are not eligible for an award in an SEC Covered Action, they are not eligible for an award in connection with any related action. *See* 15 U.S.C. § 78u-6(b); Exchange Act Rule 21F-3(b), (b)(1); Rule 21F-4(g) and (f); Rule 21F-11(a); *see also* Order Determining Whistleblower Award Claim, Release No. 34-86902 (Sept. 9, 2019).

² Investigative staff responsible for the investigation that led to the Covered Action noted that the investigation was not opened based on information provided by Claimant. Investigative staff responsible for the Covered Action also confirmed that Claimant provided no information that was used in or that contributed to the success of the investigation or the Covered Action. As such, Claimant did not provide any information that was used in, or otherwise had any impact on, the investigation or resulting Covered Action.

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Claimant is not a “whistleblower” under Exchange Act Rule 21F-2(a)(1) with respect to the Covered Action. To qualify as a whistleblower, an individual must (among other things) provide information regarding a potential securities law violation to the Commission in the form and manner that is required by Exchange Act Rule 21F-9(a), which Claimant did not do.³

Claimant failed to specify in the award application the submission pursuant to Rule 21F-9(a) on which the Claimant’s claim for an award is based.⁴

By: Office of the Whistleblower

Date: February 28, 2024

³ Enforcement staff completed a search and was unable to locate a Form TCR filed by Claimant and accordingly the requisite whistleblower declaration as required under Rule 21F-9(b).

⁴ Claimant’s award application fails to provide the tip number on which [REDACTED] claim for award is based.