

FINAL ORDER - THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON NOVEMBER 13, 2012 PURSUANT TO RULE 21F-10(f) OF THE EXCHANGE ACT

Notice of Covered Action 2011-142

In the Matter of TD Ameritrade Inc. Administrative Proceeding File No. 3-14225

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

In response to the above-referenced Notice of Covered Action, the Securities and Exchange Commission (the “Commission”) received a timely whistleblower award claim. Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-10(d) of the Exchange Act promulgated thereunder, the Claims Review Staff has evaluated the claim in accordance with the criteria set forth in Rules 21F-1 of the Exchange Act through 21F-17 of the Exchange Act. The Claims Review Staff has recommended that the Commission deny an award to Claimant. The basis for this determination is as follows:

- (1) Claimant’s information did not lead to a successful enforcement action and therefore fails to satisfy Section 21F(b)(1) and Rule 21F-3(a)(3) of the Exchange Act. Specifically, the Claimant’s information did not 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 investigation under Rule 21F-4(c)(1) of the Exchange Act; and
- (2) Claimant’s information did not significantly contribute to the success of an already ongoing Commission investigation as defined in Rule 21F-4(c)(2) of the Exchange Act.

By: Claims Review Staff
Date: September 14, 2012