

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER  
OF THE COMMISSION ON JANUARY 13, 2021 WITH RESPECT TO CLAIMANT 2  
PURSUANT TO RULE 21F-10(f) OF THE EXCHANGE ACT

**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 two whistleblower award claims from the following claimants: [REDACTED] and [REDACTED] (“Claimant 2”) (collectively, “Claimants”). Pursuant to Section 21F of the Securities Exchange Act of 1934 (the “Exchange Act”) and Rule 21F-10 promulgated thereunder, the Claims Review Staff has evaluated these claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18. The Claims Review Staff sets forth its Preliminary Determinations for the award claimants as follows.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Notice of Covered Action**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Claimant 2**

The Claims Review Staff has preliminarily determined to recommend that the Commission deny an award to Claimant 2.

Claimant 2 did not provide original information that led to a successful enforcement action pursuant to Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a) and 21F-4(c) thereunder, because the information Claimant 2 provided did not: (1) under Rule 21F-4(c)(1) of the Exchange Act, cause the Commission to (a) commence an examination, open or reopen an investigation, or inquire into different conduct as part of a current Commission examination or investigation, and (b) thereafter bring an action based, in whole or in part, on conduct that was the subject of Claimant 2's information, 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.

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[REDACTED]

**Notice of Covered Action** [REDACTED]

[REDACTED]

[REDACTED]

Specifically, examination staff found Claimant 2's information to be vague,<sup>4</sup> and investigative staff had obtained an abundance of more detailed, current, first-hand information directly relating to [REDACTED]. Moreover, examination staff and investigative staff, respectively, did not rely on Claimant 2's information to initiate the examination or investigation. In addition, none of the information provided by Claimant 2 helped advance staff's investigation or actions against the Respondent and Defendants. Further, none of Claimant 2's information was used in, or had any impact on, the charges brought by the Commission in the Covered Action.

By: Claims Review Staff

Date: December 21, 2020

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<sup>4</sup> Claimant 2's TCR was not a "principal motivating factor" in the Commission staff's decision to open an examination because it only contained vague references to [REDACTED] which examination staff did not consider as an important influence on its decision to examine [REDACTED]