

**FINAL ORDER - THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON JULY 24, 2021 AS TO CLAIMANT 2 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934**

**Notice of Covered Action**

[REDACTED]

**PRELIMINARY DETERMINATIONS OF THE CLAIMS REVIEW STAFF**

In response to the above-referenced Notice of Covered Action, the U.S. Securities and Exchange Commission (“Commission”) received three whistleblower award claims, two of which were submitted jointly. Pursuant to Section 21F of the Securities Exchange Act of 1934 (“Exchange Act”) and Rule 21F-10 promulgated thereunder, the Claims Review Staff has evaluated the claims in accordance with the criteria set forth in Rules 21F-1 through 21F-18.

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>1</sup> [REDACTED]

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[REDACTED]

[REDACTED]

**[REDACTED] (Claimant 2)**

The Claims Review Staff has preliminarily determined to recommend that the Commission deny an award to Claimant 2. The basis for this determination is as follows:

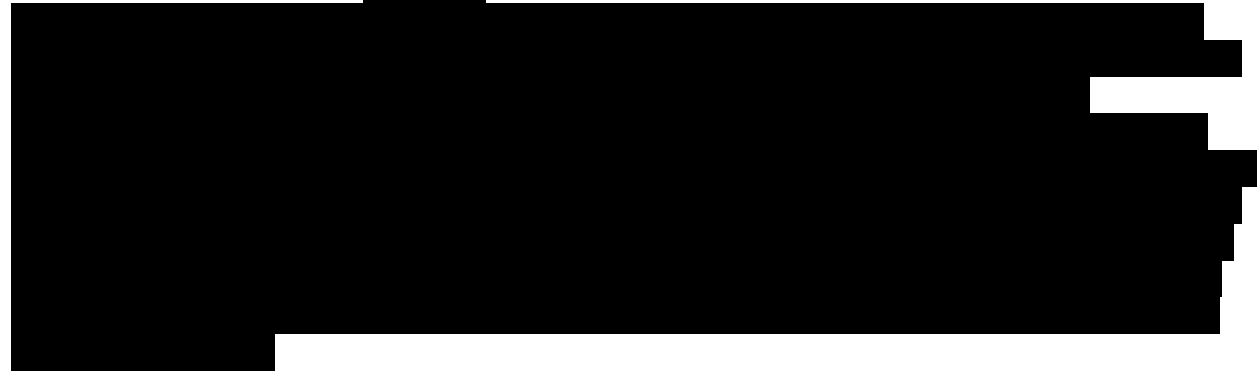
*First*, Claimant 2 did not provide information that led to the successful enforcement of the Covered Action within the meaning of Section 21F(b)(1) of the Exchange Act and Rules 21F-3(a)(3) and 21F-4(c) thereunder because any information Claimant 2 provided did not: (1) cause the Commission to (i) commence 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.<sup>3</sup>

*Second*, Claimant 2 did not provide “original 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)(2) and 21F-4(b) thereunder, because the information was not derived from Claimant 2’s: (1) “independent knowledge,” as defined under Rule 21F-4(b)(2), but instead was derived entirely from “publicly available sources,” or (2) “independent analysis,” as defined under Rule 21F-4(b)(3), because the information did not include an

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<sup>3</sup> The record reflects that the investigation was opened prior to Claimant 2’s submission of information. Claimant 2’s information also did not significantly contribute to the success of the Covered Action as it contained information that was publicly available and which Enforcement staff was already aware of prior to Claimant 2’s submission. In addition, Enforcement staff responsible for the Covered Action had no communications with Claimant 2. As such, Claimant 2’s information was not used in, and had no impact on, the investigation.

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examination and evaluation of information that “reveals information that is not generally known or available to the public.”<sup>4</sup>

By: Claims Review Staff

Date: May 25, 2021

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<sup>4</sup> The information contained in Claimant 2’s tip was already known to staff and consisted of publicly available information that did not contain either independent knowledge or independent analysis.