

**FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER  
OF THE COMMISSION ON AUGUST 19, 2019  
AS TO CLAIMANTS 2 AND 3 PURSUANT TO RULE 21F-10(f) OF THE SECURITIES EXCHANGE ACT OF 1934**

Notice of Covered Action [REDACTED]  
[REDACTED]

**PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF**

In response to the above-referenced Notices of Covered Action, the U.S. Securities and Exchange Commission received whistleblower award claims from [REDACTED] [REDACTED] (“Claimant 2”) and [REDACTED] (“Claimant 3”) (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 the above claims in accordance with the criteria set forth in Rules 21F-1 through 21F-17. The Claims Review Staff has preliminarily determined to recommend that the Commission deny the above award claims. The basis for this determination is as follows.

Claimants 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.

In reaching this preliminary recommendation, we note that the record reflects that the investigative staff responsible for the Covered Action received no information from, and had no communications with, Claimants [REDACTED] 3. We also note that the record reflects that the investigative staff received no information from, and had no communications with, Claimant 2 before the Commission filed its complaint in federal district court in connection with the Covered Action, and that unsolicited emails from Claimant 2 that the investigative staff received after the filing of the complaint provided no information that was used in, or contributed to, the litigation or successful enforcement of the Covered Action.<sup>1</sup>

By: Claims Review Staff

Date: June 20, 2019

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<sup>1</sup> We further note that Claimant 2 has not identified any submission of information in connection with this Covered Action that satisfies the requirements of Exchange Act Rule 21F-9(a) and (b).