

UNITED STATES OF AMERICA before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 90317 / November 3, 2020

WHISTLEBLOWER AWARD PROCEEDING
File No. 2021-4

In the Matter of the Claim for an Award

in connection with

Redacted

Notice of Covered Action Redacted

ORDER DETERMINING WHISTLEBLOWER AWARD CLAIM

The Claims Review Staff (“CRS”) issued a Preliminary Determination recommending that Redacted (“Claimant”) receive a whistleblower award of over \$28,000,000, equal to *** percent (***) of the monetary sanctions collected in Redacted

(“Covered Action”). Claimant provided written notice of Claimant’s decision not to contest the Preliminary Determination.

The recommendation of the CRS is adopted. The record demonstrates that Claimant voluntarily provided original information to the Commission, and that this information led to the successful enforcement of the Covered Action.¹

Applying the award criteria in Rule 21F-6 of the Exchange Act to the specific facts and circumstances here, we find the proposed award amount is appropriate.² In reaching that

¹See Exchange Act Section 21F(b)(1), 15 U.S.C. § 78u-6(b)(1); Exchange Act Rule 21F-3(a), 17 C.F.R. § 240.21F-3(a).

² In assessing the appropriate award amount, Exchange Act Rule 21F-6 provides that the Commission consider: (1) the significance of information provided to the Commission; (2) the

determination, we positively assessed the following facts as to Claimant: (1) Claimant reported significant information to the Commission which caused the company to initiate an internal investigation and factored into the staff's decision to open an investigation into the company's Redacted ; (2) the information reported by Claimant saved Commission time and resources; (3) Claimant provided assistance to staff in the form of an interview, testimony and identification of a key witness; and (4) there are important law enforcement interests here, as Claimant's information supported certain Redacted charges against a publicly traded company and its executives; and (5) Claimant's information bears a close nexus to certain charges brought by the Commission. In determining the appropriate award percentage, we also considered that while Claimant's information was significant, the Covered Action included charges that accounted for the majority of the Redacted reported by the company, which was not attributable to information provided by the Claimant, but rather related to other alleged misconduct by the company.

Accordingly, it is hereby ORDERED that Claimant shall receive an award of *** percent (*** %) of the monetary sanctions collected in the Covered Action.

By the Commission.

Vanessa A. Countryman
Secretary

assistance provided in the Commission action; (3) law enforcement interest in deterring violations by granting awards; (4) participation in internal compliance systems; (5) culpability; (6) unreasonable reporting delay; and (7) interference with internal compliance and reporting systems. Exchange Act Rule 21F-6; 17 C.F.R. § 240.21F-6.