

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 93414 / October 25, 2021

WHISTLEBLOWER AWARD PROCEEDING
File No. 2022-8

In the Matter of the Claims for Awards

in connection with

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Notice of Covered Action Redacted

And

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Notice of Covered Action Redacted

ORDER DETERMINING WHISTLEBLOWER AWARD CLAIMS

The Claims Review Staff (“CRS”) issued Preliminary Determinations in connection with the above-referenced Covered Actions¹ (the “Covered Actions”) recommending that Redacted

¹ For the purposes of making an award in this matter, we are treating all of the actions listed in connection with

Redacted (“Claimant 1”)² and Redacted (“Claimant 2”) jointly receive a whistleblower award in the amount of *** percent (*** %) of the monetary sanctions collected in the Covered Actions for a total payout of more than \$1.5 million. Claimants 1 and 2 provided written notice of their decision not to contest the Preliminary Determinations.³

The recommendation of the CRS is adopted. The record demonstrates that Claimants 1 and 2 voluntarily provided original information to the Commission that led to the successful enforcement of the Covered Actions.⁴

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Claimants 1 and 2 spoke telephonically with staff after

Notice of Covered Action Redacted as a single Covered Action as the proceedings arose out of the same nucleus of operative facts. See Rule 21F-4(d)(1). The proceeding posted as Covered Action Redacted also arose out of the same nucleus of operative facts. As such, and in light of the unique facts and circumstances here, including Claimants 1 and 2’s clear intention to apply for awards in connection with all actions that arose out of the same nucleus of operative facts, that the NoCA posting for Covered Action Redacted cross-referenced the proceeding later posted as Covered Action Redacted, that Claimants 1 and 2 were unrepresented, and the fact that the claims for the Covered Actions had not yet been adjudicated, we treat Claimant 1 and 2’s award claims in both Covered Actions as timely.

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³ The Preliminary Determination of the CRS also recommended denying an award to a third claimant in connection with Notice of Covered Action Redacted, who did not submit a request for reconsideration. Accordingly, the preliminary denial of the third claimant’s award application has become the Final Order of the Commission pursuant to Exchange Act Rule 21F-10(f), 17 C.F.R. § 240.21F-10(f).

⁴ See 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).

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submitting their tips and provided critical information concerning the breadth of the alleged wrongdoing, additional parties involved with the conduct, and the credibility of certain witnesses, which helped expedite the staff's discovery requests and advance the investigation. ^{Redacted}

^{Redacted}
Redacted

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Accordingly, it is ORDERED that Claimants 1 and 2 shall receive a joint award of ^{***} percent (^{***} %) of the monetary sanctions collected or to be collected in the Covered Actions.⁷

By the Commission.

Vanessa A. Countryman
Secretary

⁷ Our determination to treat Claimant 1 and Claimant 2 as a joint whistleblower has not impacted the net total award percentage to Claimant 1 and Claimant 2. Unless Claimant 1 and Claimant 2, within ten (10) calendar days of the issuance of this Order, make a joint request, in writing, for a different allocation of the award between the two of them, the Office of the Whistleblower is directed to pay each of them individually 50% of their joint award.