

UNITED STATES OF AMERICA
before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 100262 / June 4, 2024
WHISTLEBLOWER AWARD PROCEEDING
File No. 2024-21

In the Matter of the Claim for Award

in connection with

Notice of Covered Action ^{Redacted}

Redacted

Redacted

ORDER DETERMINING WHISTLEBLOWER AWARD CLAIM

The Claims Review Staff (“CRS”) issued a Preliminary Determination recommending that ^{Redacted} (“Claimant”) receive a whistleblower award of ^{Redacted} percent (^{***} %) of the monetary sanctions collected or to be collected in the above-referenced Covered Action,¹ which would be more than \$300,000 based on current collections. Claimant indicated that they did not contest the Preliminary Determination.

The recommendation of the CRS is adopted. The record demonstrates that Claimant voluntarily provided original information to the Commission that caused

¹ Pursuant to Rule 21F-4(d), we are treating the enforcement action ^{Redacted}, together with ^{Redacted}, as a single Covered Action as they both arise from the same underlying facts. The two actions are collectively referred to as the “Covered Action.”

the staff to open the investigation, and that the Commission’s charges in the successful enforcement action were based, in part, on the Claimant’s information.²

Exchange Act Rule 21F-6(c) establishes a presumption of a statutory maximum award of 30% where (1) the maximum award would be \$5 million or less; (2) none of the negative award factors under Rule 21F-6(b)—i.e., culpability, unreasonable reporting delay, or interference with an internal compliance and reporting system—are present; and (3) the award claim does not trigger Rule 21F-16.³ The Commission does not apply the presumption here because Claimant was culpable for the underlying conduct, Redacted
Redacted

Because the Rule 21F-6(c) presumption does not apply, the amount of Claimant’s award is determined by the factors enumerated in Rules 21F-6(a) and (b): (i) the significance of information provided to the Commission; (ii) the assistance provided in the Covered Action; (iii) the law-enforcement interest in deterring violations by granting awards; (iv) participation in internal compliance systems; (v) culpability; (vi) unreasonable reporting delay; and (vii) interference with internal compliance and reporting systems.

Considering these factors, the Commission believes an ^{***} % award for Claimant is appropriate. Claimant’s assistance was extensive and conserved Commission resources – they continued to provide key documents and useful background information throughout the investigation. The law-enforcement interest here is particularly high because Claimant uncovered conduct that Redacted
^{***} might otherwise have gone undetected. Redacted

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Nonetheless, Redacted would not have proceeded as it did without Claimant’s willingness to Redacted

² See Securities Exchange Act of 1934 (“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).

³ Rule 21F-16 concerns whistleblowers who engage in culpable conduct.

Redacted The Commission rejects Claimant's argument that they did not know the
conduct was wrong, as they protested Redacted but
ultimately agreed to Redacted anyway. Moreover,
Claimant Redacted .

Accordingly, it is hereby ORDERED that Claimant shall receive an award of
Redacted percent (^{***} %) of the monetary sanctions collected or to be collected in the
Covered Action.

By the Commission.

Vanessa A. Countryman
Secretary