

PUBLIC VERSION

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON AUGUST 17, 2021, PURSUANT TO SECTION 165.7(h) OF THE WHISTLEBLOWER RULES, 17 C.F.R. PART 165, ADOPTED PURSUANT TO SECTION 23 OF THE COMMODITY EXCHANGE ACT, 7 U.S.C. § 26.

In the Matter of Claims for Award by:)
)
)
 Redacted (“Claimant 1”),)
 Form WB-APP Redacted ;)
)
 Redacted (“Claimant 2”),)
 Form WB-APP Redacted ; and)
)
 Redacted (“Claimant 3”),)
 Form WB-APP Redacted)
)
 In Connection with)
 Notice of Covered Action No. Redacted)
)
)

PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF

The Commodity Futures Trading Commission (“Commission”) received whistleblower award applications from Claimant 1, Claimant 2, and Claimant 3 (collectively, “Claimants”) in response to the above-referenced Notice of Covered Action (“NCA”) regarding Redacted

(“Order” or “Covered Action”). The

Claims Review Staff has evaluated each of the applications in accordance with the Commission’s Whistleblower Rules (“Rules”), 17 C.F.R. pt. 165 (2020), promulgated pursuant to Section 23 of the Commodity Exchange Act (“CEA” or “Act”), 7 U.S.C. § 26 (2018). The Claims Review Staff sets forth its Preliminary Determination for Claimants as follows:

1. The Claims Review Staff has determined to recommend that the Commission deny all applications because Claimants did not provide information that led to the successful enforcement outcome in the Covered Action. Division of Enforcement (“Division”) staff

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responsible for the investigation did not contact Claimants or use any information provided by Claimants to bring, investigate, or settle the Covered Action.

2. Claimant 3 is ineligible for an award, having failed to file a Form TCR with the Commission and to file his/her Form WB-APP by the deadline in the NCA and the Rules. *See* 17 C.F.R. §§ 165.3(a), 165.5(b)(1)–(2), 165.7(b)(2).

3. Throughout the investigation leading to the Order, Division staff relied on documents and information provided by ^{Redacted} and other financial institutions, as well as statements made by their employees and former employees during interviews. Division staff also relied in data analysis conducted by Division economists and an outside expert.

4. The CRS also recommends denying any claims for awards on related actions. Under the CEA, in order to be eligible for awards on related actions, a whistleblower must have provided information that led the Commission to a successful Commission action. *See* 17 C.F.R. §§ 165.2(m), 165.11. Since none of the Claimants contributed to the investigation leading to the Order, Claimants are ineligible for awards on any purported related actions.

Dated: June 17, 2021

Whistleblower Claims Review Staff
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