

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON AUGUST 30, 2023 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 Claim for Award by: )  
 )  
 )  
 Redacted (“Claimant”), )  
 Redacted )  
 )  
 In Connection with )  
 Notice of Covered Action No. Redacted )  
 )  
 )

---

**PRELIMINARY DETERMINATION OF THE CLAIMS REVIEW STAFF**

The Commodity Futures Trading Commission (“Commission”) received a whistleblower award application on Form WB-APP from Claimant in response to the above-referenced Notice of Covered Action regarding Redacted

(“Order” or “Covered Action”). The Order imposed monetary sanctions totaling Redacted, of which Redacted has been collected.

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

1. The CRS has determined to recommend that the Commission deny Claimant’s application because it fails to meet the requirements of Section 23 of the Act and the Rules.
2. Based on the record, the CRS acknowledges Claimant’s efforts in providing information to the Commission. However, Claimant’s information did not lead to the successful enforcement of the Covered Action, as defined by Rule 165.2(i), 17 C.F.R. § 165.2(i). Such information is a requirement for an award. *See id.* § 165.5(a):

- Claimant’s information did not cause the Commission’s Division of Enforcement (“Division”) to open the investigation of Redacted (“Respondent”) leading to the Order. *See id.* § 165.2(i)(1). The Order states, and Division staff confirmed, that Redacted

. Claimant does not claim to have provided the CFTC with any information potentially related to Respondent until Redacted after the start of the investigation.

- Claimant’s information did not significantly contribute to the success of the Covered Action. *See* 17 C.F.R. § 165.2(i)(2). Division staff assigned to the Covered Action did not have contact with Claimant or Claimant’s information during their investigation of Respondent’s misconduct. They did not receive any information related to their investigation from, or discuss their investigation with, other members of Division staff, with whom Claimant communicated regarding Claimant’s submissions, but who did not work on the Covered Action or the underlying investigation. Thus, no information provided by Claimant was used in connection with the Covered Action. This fact is consistent with the absence of any mention of Respondent Redacted in the information that Claimant provided to the Commission.

- Instead of Claimant’s information, Division staff assigned to the Covered Action relied on information they obtained from Redacted

By: Whistleblower Claims Review Staff  
Commodity Futures Trading Commission

Dated: June 13, 2023