

FINAL ORDER – THIS PRELIMINARY DETERMINATION BECAME THE FINAL ORDER OF THE COMMISSION ON JANUARY 14, 2025 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 the above-listed whistleblower award application from Claimant in response to the above-referenced Notice of Covered Action regarding Redacted

(“Order” or “Covered Action”). The Order imposed Redacted in monetary sanctions, 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 for Claimant as follows:

1. The CRS has determined to recommend that the Commission deny Claimant’s award application because it does not meet the requirements of Section 23 of the Act and the Rules.

2. Claimant is a person who is statutorily ineligible to receive an award for the Covered Action under Section 23(c)(2) of the Act, 7 U.S.C. § 26(c)(2). This provision says, “No award ... shall be made ... to any whistleblower who is, or was at the time he or she acquired the

original information submitted to the Commission, a member ... of a registered entity.” *Accord* 17 C.F.R. § 165.6(a). At the time Claimant acquired the original information submitted to the Commission in connection with the Covered Action, Claimant was a member of ^{Redacted}, which is a registered entity. *See* 7 U.S.C. § 1a(34), (40). Accordingly, the Act directs that no award shall be made to Claimant.

3. Rule 165.5(b), 17 C.F.R. § 165.5(b), says, “In order to be eligible [for an award], the whistleblower must ... [p]rovide the Commission, upon its staff’s request, certain additional information, including ... [t]estimony or other evidence acceptable to the staff relating to the whistleblower’s eligibility for an award.” Claimant’s failure to provide additional information in response to such a request that the Commission’s Whistleblower Office made on or about ^{Redacted} further makes him/her ineligible for an award.

By: Whistleblower Claims Review Staff
Commodity Futures Trading Commission

Dated: November 14, 2024