

UNITED STATES OF AMERICA  
before the  
COMMODITY FUTURES TRADING COMMISSION

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	)	
<b>In the Matter of:</b>	)	
	)	
<b>Whistleblower Award Application of Applicant</b>	)	<b>CFTC Whistleblower Award</b>
<b>("Applicant"):</b>	)	<b>Determination No. 16-WB-08</b>
	)	
<b>Form WB-APP</b>	)	
_____	)	
	)	

**ORDER**

Attached is the Final Determination of the Commodity Futures Trading Commission ("Commission") pertaining to the whistleblower award application of Applicant ("Applicant"), submitted on Form WB-APP, in response to the Commission's Notice of Covered Action No. \_\_\_\_\_ regarding \_\_\_\_\_

Pursuant to the Commission's Whistleblower Rules ("Rules"), the Commission delegated the authority to make whistleblower award determinations to the Whistleblower Award Determination Panel ("Panel"). 17 C.F.R. § 165.15(b). Therefore, the Panel's award determination is the final determination of the Commission.

As set forth in the attached, it is the Final Commission Determination and Order of the Commission that the Applicant's whistleblower award application shall be granted. After giving due consideration of the factors set forth in section 165.9, 17 C.F.R. § 165.9, the Panel determined that the award amount should be \_\_\_\_\_ % of the amount of the monetary sanctions collected in the \_\_\_\_\_

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In accordance with 7 U.S.C. § 26(f) and 17 C.F.R. § 165.13, if you wish to appeal the Final Commission Determination and Order, you must appeal to the appropriate court of appeals of the United States no more than 30 days after this Final Order of the Commission is issued.

Decision Issued: July 19, 2016



Robert Sidman  
Deputy Secretary of the Commission  
Commodity Futures Trading Commission  
1155 21<sup>st</sup> Street, N.W.  
Washington, DC 20581

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<b>Whistleblower Award Application of Applicant</b>	)	<b>Determination No. 16-WB-08</b>
<b>("Applicant"):</b>	)	
<b>Form WB-APP</b>	)	
_____	)	
	)	
	)	

**WHISTLEBLOWER AWARD DETERMINATION**

Before the Whistleblower Award Determination Panel ("Panel") of the Commodity Futures Trading Commission ("Commission") is the whistleblower award application of Applicant ("Applicant"), submitted on Form WB-APP . The Applicant submitted the award application in response to the Commission's Notice of Covered Action No. regarding

. For reasons set forth below, the Applicant's application is granted, and the Applicant shall be granted an award of % of the amount of the monetary sanctions collected in the

**IT IS HEREBY DETERMINED that:**

1. The Applicant's award application is granted because the Applicant meets the requirements of section 23 of the Commodity Exchange Act, 7 U.S.C. § 26 (2012), and the Commission's Whistleblower Rules ("Rules"), 17 C.F.R. § 165 (2015). The Applicant voluntarily provided the Commission with original information that led to the successful enforcement of a covered action. The Applicant's information was sufficiently specific, credible, and timely to cause the Commission to open an investigation. The

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Commission then brought a successful \_\_\_\_\_ action, the \_\_\_\_\_, based in part on conduct that was the subject of the Applicant's original information.

2. The Applicant also meets all eligibility requirements for an award. *See* 17 C.F.R. §§ 165.5(b), 165.6. The Applicant submitted a Form TCR, is the original source of the information, and provided assistance to Commission staff during the course of the investigation leading up to the \_\_\_\_\_. Further, the Applicant does not fall into any of the categories of individuals ineligible for an award, as set forth in section 165.6(a), 17 C.F.R. § 165.6(a).

3.

4. The Panel concludes that the award should be \_\_\_\_\_ % of the amount of the total monetary sanctions collected in the \_\_\_\_\_. In arriving at this award amount, the Panel applied the factors set forth in section 165.9, 17 C.F.R. § 165.9, in relation to the facts and circumstances of the Applicant's award application. To this end, the Panel considered the significance of the Applicant's information, the degree of assistance the Applicant provided to Commission staff during the course of the investigation, and the Commission's programmatic and law enforcement interests. Finally, the Panel believes this award appropriately recognizes

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the significance of the information the Applicant provided to the Commission, and the size of the award should serve to incentivize future whistleblowers to come forth with high quality information while not creating perverse incentives possible as a result of oversized awards.

- a. The Applicant's information caused the Commission to launch an investigation against defendants. The Commission had not been aware of the violations before Applicant provided the information. Had the Applicant not contacted the Commission, it may not have opened an investigation and brought a successful enforcement action against defendants.
- b. During the investigation, the Applicant provided assistance, was forthcoming with this assistance, and provided ongoing, extensive and timely cooperation.

- c. The Commission has significant programmatic and law enforcement interests in protecting members of the public

Because the Commission likely would not have opened an investigation had the Applicant not contacted the Commission,

Granting an award to

Applicant should incentivize similar whistleblowers to report potential violations of the CEA to the Commission, thus enhancing the Commission's ability to enforce the CEA and conserve resources.

- d. The Applicant did not participate in defendants' violations and was not

arrested, indicted or convicted of the conduct at issue.

. In addition, the Applicant was never an agent, employee, officer, director, trustee, or partner

. Furthermore, the Applicant did not unreasonably delay reporting the information to the Commission.

5. Accordingly, upon due consideration of the factors listed in section 165.9, 17 C.F.R. § 165.9, it is hereby DETERMINED that the Applicant shall receive an award of % of the amount of the monetary sanctions collected in the

Dated: July 19, 2016

Whistleblower Award Determination Panel  
Commodity Futures Trading Commission  
1155 21<sup>st</sup> Street, N.W.  
Washington, DC 20581