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SUPERIOR COURT OF NJ  
CIVIL DIVISION  
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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION  
ESSEX COUNTY  
DOCKET NO.: ESX-L-567-14

JEREMY RUBIN d/b/a TIDBIT

Plaintiff,

v.

STATE OF NEW JERSEY DIVISION OF  
CONSUMER AFFAIRS,

Defendant.

Civil Action

**CERTIFICATION OF  
EDWARD J. MULLINS III**

I, EDWARD J. MULLINS III, being of full age, hereby certify and state as follows:

1. I am an attorney admitted to practice before the courts of this State and am a Deputy Attorney General with the State of New Jersey, Department of Law and Public Safety, Division of Law, Government and Healthcare Fraud Section. I am one of the Deputy Attorneys General

responsible for the representation of Defendant State of New Jersey Division of Consumer Affairs (“Division”) in this action.

2. I submit this Certification in opposition to the Order to Show Cause with Temporary Restraints Pursuant to Rule 4:52 filed on behalf of Jeremy Rubin d/b/a Tidbit (“Tidbit”) and in support of the Division’s Motion to Dismiss and for an Order Directing Plaintiff to Respond to the Division’s Subpoena Duces Tecum and Interrogatories. I am fully familiar with the facts and procedural history of this action.

3. In or about November 2013, I, along with Deputy Attorney General Glenn T. Graham, was assigned the representation of the Division in connection with its investigation of Tidbit, specifically whether Tidbit’s development of a bitcoin mining software code (the “Tidbit Code”) violated the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq., (“CFA”) and related statutes.

4. On January 24, 2014 and January 30, 2014, I caused to be served Administrative Subpoenas Duces Tecum and Interrogatories (“New Jersey Website Subpoenas”) upon two (2) websites registered and located in the State of New Jersey that contained the Tidbit Code (“New Jersey Coded Websites”).

5. In response to the New Jersey Website Subpoenas, one of the New Jersey Coded Websites produced, among other things, the following documents: (1) website developer’s Tidbit account dashboard (“Account Dashboard”); and (2) an e-mail from Tidbit advising its customers of the Division’s issuance of a Subpoena and Interrogatories to Tidbit (“Tidbit User E-mail”). (See Account Dashboard, attached as Exhibit A, and Tidbit User E-mail, attached as Exhibit B.)

6. Among other things, the Account Dashboard states: (1) “**Your embed code** – Paste this at the bottom of your HTML page, and your visitors will start mining Bitcoins for you!;” (2)

“Here’s how much you’ve made so far with Tidbit;” and (3) “Average difficulty – 2.” (See Ex. A (emphasis in original).)

7. The Tidbit User E-mail is addressed to “Tidbit users” and advises such users that “Tidbit was served a subpoena by the New Jersey Attorney General.” (See Ex. B.)

8. The Tidbit User E-mail further states, among other things: (1) “Typically, legal issues are an unavoidable growing pain for startups. For Tidbit, they’ve arrived quite a bit earlier;” (2) “Don’t worry, we haven’t released any of your information;” (3) “We’ve gotten word from some of our Tidbit users that the NJ Attorney General has served them subpoenas requesting information regarding Tidbit. If you get served one, don’t worry. Get in touch with your legal counsel. If you don’t have immediate legal counsel, email [info@eff.org](mailto:info@eff.org) for assistance in finding representation;” and (4) “We don’t know why the NJ Attorney General is targeting Tidbit so aggressively, but it hurts all of us.” (See Ex. B.)

9. Certain of the above-referenced exhibits contain personal identifying information. That information has been redacted.

10. All documents submitted with this Certification are true copies of the documents in possession of the Division, with the redactions as specified above.

I certify that the foregoing statements made by me are true. I am aware that if any of those statements are willfully false, I am subject to punishment.

  
EDWARD J. MULLINS III

Dated: March 6, 2014  
Newark, New Jersey

# EXHIBIT A

## Account info

id: [REDACTED]

coin Wallet: [REDACTED] [Edit](#)

## Your embed code

Paste this at the bottom of your HTML page, and your visitors start mining Bitcoins for you!

```
<iframe style='display:none' src='http://tidbit.co.in/miner'><script>windo
```

## Dashboard

See how much you've made so far with Tidbit.



Work done

0



Shares earned

0



Cashout minimum

500 shares



Average difficulty

2



Clients connected

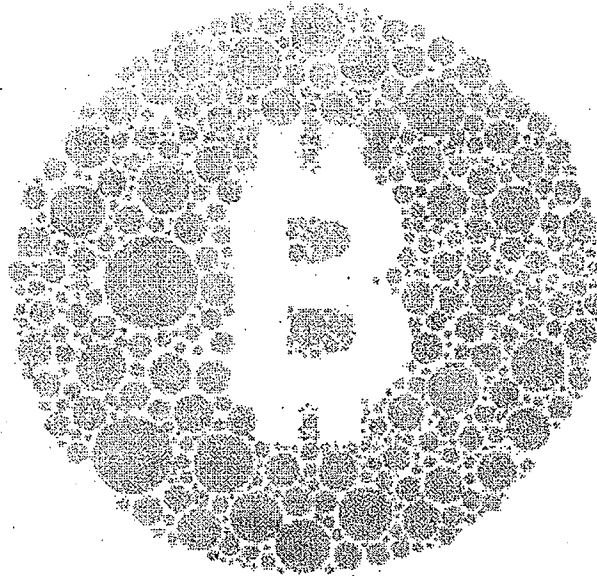
0



Total clients

0

# EXHIBIT B

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## Update on our legal status

**Hey Tidbit users,**

First of all, thank you for signing up to receive updates on our progress. Typically, legal issues are an unavoidable growing pain for startups. For Tidbit, they've arrived quite a bit earlier. We don't want to bore you with the legalese, but we want to keep you filled in as you may be affected.

On December 4, 2013, Tidbit was served a subpoena by the New Jersey Attorney General. It demanded that we gather and release sensitive information: our source code, user information, hosting websites, and much more. You can view the subpoena and interrogatories [here](#) and [here](#).

Don't worry, we haven't released any of your information. We reached out to the Electronic Frontier Foundation (EFF) and they agreed to represent us. Together we moved to quash the subpoena on January 22, 2014. You can view the filing [here](#). There are two main ways this could affect you.

1. Our development progress has been halted. From what we understand, we can't release anything or even incorporate until the subpoena has been settled. Obviously,

this is a significant setback. We're intensely frustrated and are working to resolve the situation as soon as possible.

2. We've gotten word from some of our Tidbit users that the NJ Attorney General has served them subpoenas requesting information regarding Tidbit. If you get served one, don't worry. Get in touch with your legal counsel. If you don't have immediate legal counsel, email [info@eff.org](mailto:info@eff.org) for assistance in finding representation.

We're truly sorry if this inconveniences any of you. We don't know why the NJ Attorney General is targeting Tidbit so aggressively, but it hurts all of us. As always, we're working hard to make progress. With luck, we'll clear up the legal situation and get back to coding.

Best,  
The Tidbit Team

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