



State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
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Director

January 9, 2014

VIA E-MAIL (hanni@eff.org)

Hanni M. Fakhoury, Esq.
Electronic Frontier Foundation
815 Eddy Street
San Francisco, California 94109

Re: In the Matter of Jeremy Rubin, individually and d/b/a Tidbit

Dear Mr. Fakhoury:

I am in receipt of your letter, dated January 7, 2014, and sent on behalf of Jeremy Rubin, individually and d/b/a Tidbit ("Tidbit"). Please be advised that the Subpoena Duces Tecum and Interrogatories served on Tidbit were issued by the State of New Jersey Division of Consumer Affairs on behalf of the Acting Attorney General of New Jersey ("Attorney General") to determine whether Tidbit engaged in conduct in violation of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq. ("CFA").

The CFA describes the investigative powers and duties of the Attorney General:

When it shall appear to the Attorney General that a person has engaged in, is engaging in, or about to engage in any practice declared to be unlawful by this act, or when he believes it to be in the public interest that an investigation should be made to ascertain whether a person in fact has engaged in, is engaging in or is about to engage in, any such practice, he may:

- (a) Require such person to file on such forms as are prescribed a statement or report in writing under oath or otherwise, as to all the facts and circumstances concerning the sale or advertisement of merchandise by such person, and such other data and information as he may deem necessary;

♦ ♦ ♦ ♦



(c) Examine any merchandise or sample thereof, record, book, document, account or paper as he may deem necessary.

[N.J.S.A. 56:8-3(a), (c).]

Additionally, N.J.S.A. 56:8-4 expressly states that:

To accomplish the objectives and to carry out the duties prescribed by [the CFA], the Attorney General, in addition to other powers conferred upon by [the CFA], may issue subpoenas to any person, administer an oath or affirmation to any person, conduct hearings in aid of any investigation or inquiry, promulgate such rules and regulations, and prescribe such forms as may be necessary, which shall have the force of law.

[N.J.S.A. 56:8-4.]

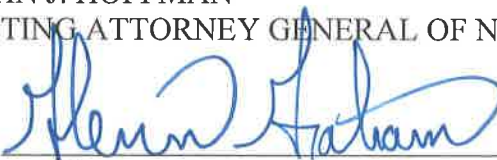
Accordingly, the Attorney General is authorized to investigate whether any person, whether located in New Jersey or elsewhere, has engaged in, is engaging in or is about to engage in any unlawful practice in violation of the CFA that affects New Jersey consumers.

Thus, Tidbit is required to fully respond to the Subpoena Duces Tecum and Interrogatories by January 13, 2014, so that the Attorney General may continue to fulfill its responsibility of protecting the public interest. The Subpoena and Interrogatories seek documents and information about Tidbit's practices, including, but not limited to, whether the Bitcoin code was present on websites owned and/or operated in the State or visited by New Jersey consumers. Please be guided accordingly. I thank you for your anticipated cooperation.

Sincerely yours,

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY

By:



Glenn T. Graham
Deputy Attorney General

cc: Nathan D. Cardozo, Esq.
Kevin R. Jespersen, Assistant Attorney General
Edward J. Mullins III, Deputy Attorney General