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JEREMY RUBIN d/b/a TIDBIT Plaintiff, v. STATE OF NEW JERSEY DIVISION OF CONSUMER AFFAIRS, Defendant.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION ESSEX COUNTY DOCKET NO.: ESX-L-567-14 Civil Action **CERTIFICATION OF** **BRIAN MORGENSTERN**

I, BRIAN MORGENSTERN, being of full age, hereby certify and state as follows:

1.   I make this Certification based upon my personal knowledge and review of documents in my possession and in connection with the above-referenced action.

2.   I am currently employed as an Investigator with the New Jersey Division of Consumer Affairs ("Division"), Office of Consumer Protection, Cyber Fraud Unit. I have held this

position since approximately December 2011. In that capacity I have been involved in the Division's investigations as to possible violations of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq. ("CFA"), and related statutes and regulations.

3.	In November, 2013, the Division commenced an official investigation ("Investigation") as to whether Jeremy Rubin d/b/a Tidbit ("Tidbit") was engaged in conduct in violation of the CFA and/or related statutes and regulations through its unauthorized access and/or use of New Jersey residents' computers to mine for bitcoins. I have been responsible for the Division's Investigation since its inception.

**A.	Bitcoin Background**

4.	Bitcoins are a decentralized virtual form of currency that are purchased through online exchanges, transferred between individuals through electronic "wallets," or acquired through "mining."

5.	Each bitcoin is generated through a process known as "mining." To mine for bitcoins, the resources of a computer, generally the central processing unit ("CPU") and/or graphics processing unit ("GPU") of computers are set to solve complex mathematical problems on a peer-to-peer network. To maintain a consistent level of bitcoin mining, the more processing power users dedicate to the peer-to-peer mining network, the more difficult the mathematical problems become.

6.	Multiple users can join mining "pools" and user their computers collaboratively toward mining for bitcoins.

7.	Once a bitcoin is mined, a time-stamped public record of that bitcoin is maintained on a "block chain." The public record of each time-stamped bitcoin acts to prevent double spending. Once mined, a bitcoin can then be divided and transferred between users or purchased and sold through online exchanges.

8.   As a result of the increased processing power necessary to mine for bitcoins, a computer's life span may be curtailed and electricity costs increased.

B.   Tidbit Code

9.   On or about November 12, 2013, I became aware that Tidbit developed a bitcoin mining software code to be implemented on websites ("Tidbit Code"). When users visit a website utilizing the Tidbit Code, those users' computer resources may unknowingly be used to mine for bitcoins.

10.   On November 20, 2013, and following a random website search, I confirmed that the Tidbit Code was present on at least three (3) websites that were registered and located in New Jersey ("New Jersey Coded Websites.")

11.   During the course of the Investigation, I confirmed that the Tidbit Code was active on all New Jersey Coded Websites by accessing the source code for each website.

C.   Tidbit Website

12.   On or about November 12, 2013, I became aware of Tidbit's advertisement of the Tidbit Code through a website located at http://www.tidbit.co.in ("Tidbit Website"). That same day, I accessed and captured the contents of the Tidbit Website. (See Tidbit Website, attached as Exhibit A.)

13.   On November 12, 2013 I accessed http://domaintools.com to determine the registrant information of the Tidbit Website. Such information indicated that the Tidbit Website was registered to Jeremy Rubin. (See WhoIs Results, attached as Exhibit B.)

14.   Among other things, the Tidbit Website states: "Monetize without ads;" "Let your visitors help you mine Bitcoins;" and "Built on the bleeding edge." (See Ex. A.)

15.   The Tidbit Website further provides: "How does it work? ... [1] Make an account –
Sign up with your Bitcoin wallet ... [2] Paste the code – We'll give you a snippet to put in your
website ... [3] Cash Out! – We'll send a transaction to your Bitcoin wallet." (See Ex. A.)

16.   The Tidbit website features a "Sign up" button for visitors to sign-up to receive the
Tidbit Code. On November 12, 2013, I accessed the "Sign up" button. To receive the code, Tidbit
requires visitors to submit the following information: (1) E-mail address; (2) Bitcoin Wallet ID; and
(3) Password ("Sign-up Information").

17.   On January 24, 2014 and March 6, 2014, I re-accessed the Tidbit Website and
confirmed Tidbit continued to require visitors to submit Sign-up Information to receive the Tidbit
Code. (See Sign-up Page, attached as Exhibit C.)

18.   On March 6, 2014 and after the issuance of an Administrative Subpoena Duces
Tecum and Interrogatories to Tidbit, I accessed the New Jersey Coded Websites and determined that
the Tidbit Code had been removed from such websites.

19.   To date, the Tidbit Website is still active.

D.   Division's Undercover Investigation

20.   On February 7, 2014, I re-accessed the Tidbit Website. While on the Tidbit Website,
I re-accessed the "Sign up" button. I submitted Sign-up Information to Tidbit using an undercover e-
mail address and an undercover bitcoin wallet id. After receiving my Sign-up Information, Tidbit
sent the Tidbit Code to me via a confirmation page ("Confirmation Page"). (See Sign-up Page and
Confirmation Page, attached as Exhibit D.)

21.   The Tidbit Code I received includes my undercover bitcoin wallet id within the code.
(See Ex. D.)

22. Among other things, the Confirmation Page states "**Your embed code** - Paste this at the bottom of your HTML page, and your visitors will start mining Bitcoins for you!" (See Ex. D.)

23. On February 18, 2014, I found Jeremy Rubin's resume via a Google search. Under the section concerning Mr. Rubin's work experience, he is listed as the founder of Tidbit from November 2013 to Present. (See Resume, attached as Exhibit E.)

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

25. 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.

_____
BRIAN MORGENSTERN

Dated: March 6, 2014
Newark, New Jersey

EXHIBIT A

Tidbit

Monetize without ads.

Let your visitors help you mine Bitcoins.

Learn more   Sign up
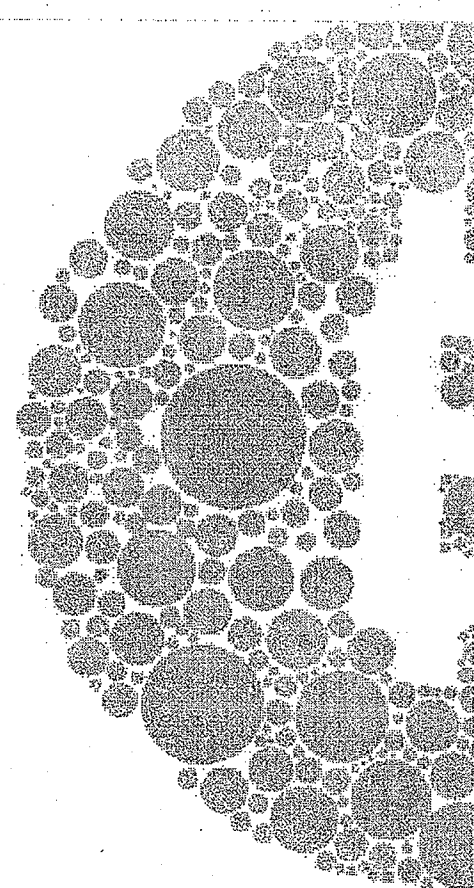
How does it work?

1

Make an account

Sign up with your

Bitcoin wallet

2

Paste the code

We'll give you a snippet to put in your website

3

Cash out!

We'll send a transaction to your Bitcoin wallet

Built on the bleeding edge

Node.js

Built on Express.js

Socket.io

Low latency, live data connections

Asm.js

Fast Bitcoin miner in pure JS

How's the performance?

20K hashes/client

EXHIBIT B

DOMAINTOOLS

LOG IN

WHOIS LOOKUP
nodeknockout.com

PRODUCTS ▾   SOLUTIONS ▾   PRICING   SUPPORT   ABOUT ▾

More Domains
Reverse Whois
History Details
Get Notified
Brand Monitor
Screenshot History

Whois > Tidbit.co.in

Tidbit.co.in Whois Record

$1.99 Domains at GoDaddy

🐾 GoDaddy.com

Great Domain Names Make Great Websites. Search For Yours Today!

>

Whois Record | Site Profile | Registration | Server Stats | For Sale

View Screenshot History for tidbit.co.in

Reverse IP: 538,568 other sites hosted on this server.

🔭 Domain Monitor supports .com, .net, .org, .biz, .info, and .us domains

📇 Preview the complete Domain Report for tidbit.co.in

DomainTools for Windows®
Now you can access domain ownership
records ... from your own desktop!
Download Now>

```
Domain ID:D7837673-AFIN
Domain Name:TIDBIT.CO.IN
Created On:10-Nov-2013 22:17:22 UTC
Last Updated On:10-Nov-2013 22:17:23 UTC
Expiration Date:10-Nov-2014 22:17:22 UTC
Sponsoring Registrar:Gandi SAS (R91-AFIN)
Status:CLIENT TRANSFER PROHIBITED
Status:TRANSFER PROHIBITED
Status:ADDPERIOD
Registrant ID:JR6971-GANDI
Registrant Name:Jeremy Rubin
Registrant Organization:
Registrant Street1:229 Commonwealth Ave
Registrant Street2:
Registrant Street3:
Registrant City:Boston
Registrant State/Province:MA
Registrant Postal Code:02116
Registrant Country:US
Registrant Phone:+1.█████████
Registrant Phone Ext.:
Registrant FAX:
Registrant FAX Ext.:
Registrant Email: dfa5659bd3e20588d8dc46a0ede65435-1770003@contact.gandi.net
Admin ID:JR6971-GANDI
Admin Name:Jeremy Rubin
Admin Organization:
Admin Street1:229 Commonwealth Ave
Admin Street2:
Admin Street3:
Admin City:Boston
Admin State/Province:MA
Admin Postal Code:02116
Admin Country:US
Admin Phone:+1.8052808095
Admin Phone Ext.:
Admin FAX:
Admin FAX Ext.:
```

DTRU13A .RU
ONLY 10.99EUR

Country TLDs | General TLDs

Available domains for registration:

☐ Tidbit.be   Register

☐ Tidbit.co.uk   Register

☐ Tidbit.dk   Register

☐ Tidbit.eu   Register

☐ Tidbit.fr   Register

☐ Tidbit.tw   Register

Register All Selected >

Server

Email Lookup — Free

VA Loans for Veterans

1 Tip To Lose Belly Fat

Admin Email: dfa5659bd3e20588d8dc46a0ede65435-1770003@contact.gandi.net
Tech ID:JR6971-GANDI
Tech Name:Jeremy Rubin
Tech Organization:
Tech Street1:229 Commonwealth Ave
Tech Street2:
Tech Street3:
Tech City:Boston
Tech State/Province:MA
Tech Postal Code:02116
Tech Country:US
Tech Phone:████ ██
Tech Phone Ext.:
Tech FAX:
Tech FAX Ext.:
Tech Email: dfa5659bd3e20588d8dc46a0ede65435-1770003@contact.gandi.net
Name Server:A.DNS.GANDI.NET
Name Server:B.DNS.GANDI.NET
Name Server:C.DNS.GANDI.NET
Name Server:
Name Server:
Name Server:
Name Server:
Name Server:
Name Server:
Name Server:
Name Server:
Name Server:
DNSSEC:Unsigned

Backorder this domain or Hire a domain broker

Whois Directory

a b c d e f g h i j k l m n o p q r s t u v w x y z 0 1 2 3 4 5 6 7 8 9

Home   Contact Us   Blog   Terms of Service   Privacy Policy   1.1k

DOMAIN RESEARCH   MONITORING   MORE PRODUCTS   SOLUTIONS FOR
Whois Lookup   Brand Monitor   Domain Sales History   Cybercrime Investigation
Domain Search   Registrant Monitor   Domain Suggestions   Brand Protection
Reverse Whois   Name Server Monitor   Domain Typo Finder   Domain Professionals
Whois History   IP Monitor   Bulk Check   Enterprise Solutions
Screenshots   Domain Monitor   Dropping Names
Domain Marketplace   My IP Address   PRODUCT PRICING
Domain Report   ENTERPRISE SCALE DATA   IP Explorer   Pricing
                       Reverse Whois IRM   DNS Tools   Get the Free Trial
NETWORK RESEARCH   APIs   Desktop Tools   Start a Membership
IP Whois Lookup   Custom Data Feeds
Reverse IP Lookup   DomainTools Labs   DOMAINTOOLS APPS
Reverse NS Lookup
Reverse IP Whois   Available on the App Store
Hosting History   Get it on Google play

EXHIBIT C

Tidbit

Sign up

Email

Bitcoin Wallet ID

Password

Sign up

EXHIBIT D

Tidbit

Sign up

Email

██████████████████████

Bitcoin Wallet ID

███████████████████ -

Password

[Sign up]

Tidbit

Account info

Email:

Bitcoin Wallet: Edit

Your embed code

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

Dashboard

Here's how much you've made so far with Tidbit.

Work done

Shares earned

0

Cashout minimum

500 shares

Average difficulty

0

Clients connected

0

Total clients

0

EXHIBIT E

JEREMY L. RUBIN

https://github.com/JeremyRubin

EDUCATION

Massachusetts Institute of Technology (MIT) *Cambridge, MA*
Bachelor of Science in Electrical Engineering and Computer Science *June 2016*
With humanities concentration in Comparative Media Studies.
GPA 4.3/5.0

Phillips Exeter Academy   *Exeter, NH*   **UCSB**   *Santa Barbara, CA*
GPA 9.64/11.0   *June 2012*   *GPA 4.0/4.0*   *R.M.P. 2010*

EXPERIENCE

Tidbit Boston, MA
Founder *November 2013 to Present*
  – Developing a platform to monetize without ads with cryptocurrencies like Bitcoin.

Jane Street Capital New York, NY
Software Development Intern *January 2014*
  – Implemented in OCaml an Atlassian Jira plugin for command line access to the remote APIs with Kerberos
    authentication.

Nokia Sunnyvale, CA
Engineering Intern *Summer 2013*
  – Data mining and machine learning under Taneli Mielikinen with the Emerging Platforms group.
  – Hardware and software prototyping under Kent Lyons' and Sean White's Interaction Ecologies group. Paper
    submitted for CHI 2014.
  – Operated as product manager and embedded system engineer designing and building a Barbot with the
    Nokia Sunnyvale interns as a part of the Advanced Engineering group.

MIT Media Lab Viral Spaces Cambridge, MA
Undergraduate Researcher *June 2011 to Present*
  – Developing Graffiti Codes, mobile app for encoding messages to drawings via graffiti gestures.
  – Developed video playback support to Junkyard Jumbotron: web app for linking internet-enabled devices
    together as one screen, like in sports stadium.

Azapa: Electric Motorcycles
Software Engineering Intern *Summer 2012*
  – Wrote a simulated annealing algorithm to optimize battery pack layout by minimizing variance.

RELEVANT SKILLS & COURSEWORK

Web Dev. – *JavaScript, CSS, HTML5, jQuery, Bootstrap, Tornado, beego, Rails, node.js, MongoDB, nginx*
Embedded Systems/Mobile – *Arduino, Raspberry Pi, Android*
Languages – *Python, Java, Go, OCaml, Ruby, Julia, Pig/Hadoop, C++/C*

Introduction to Algorithms – *6.006*	**Elements of Software Construction** – *6.005*
Introduction to EECS I & II – *6.01 & 6.02*	**Linear Algebra** – *18.06*
Electricity and Magnetism – *8.022, hard version*	**Mathematics for Computer Science** – *6.042*
MIT Pokerbots Competition – *6.S912*	**Mobile Technology** – *21W.789*
Reddit Machine Learning Ind. Study – *CMS.603*	**Web Programming Competition** – *6.470*

AWARDS

Node Knockout 2013   Most innovative award for Tidbit.
MIT Pokerbots Competition 2013   2nd place in artificial intelligence poker tournament new team bracket.

LINKS

GitHub – https://github.com/JeremyRubin	**Pizza Predictor** – http://randomacts.media.mit.edu
LinkedIn – http://www.linkedin.com/in/jeremyrubin	**Barbot** – http://500sw.github.io/intro
Personal Website – http://RubinTe.ch	**Graffiti Codes Article** – http://bit.ly/11kaZBE
	Junkyard Jumbotron – http://bit.ly/16fmPzo

OTHER ACTIVITIES

MIT TechX/Techfair – *HackMIT Dev. Ops.*	**Unicycling, Road Cycling, Longboarding**
Phi Kappa Theta Fraternity – *Brother*	**Photography**
MIT Varsity Squash *2013 Season*	