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March 5, 2014

Mr. John J. Hoffman
Acting Attorney General for the
State of New Jersey
Office of the Attorney General
P.O. Box 080
Trenton, NJ 08625-0080

Re: *Jeremy Rubin d/b/a Tidbit v. State of New Jersey Division of Consumer Affairs*

Dear Mr. Hoffman:

We are writing in support of Jeremy Rubin, an undergraduate student at MIT. Mr. Rubin and three other MIT students created an innovative computer code named “Tidbit.” Tidbit is a proof-of-concept code that facilitates the mining of bitcoin. In early December, your office, through its Division of Consumer Affairs, issued a subpoena and interrogatories upon Mr. Rubin in pursuit of an investigation under the New Jersey Consumer Fraud Act.

As MIT’s President, Provost, and Chancellor, we want to express MIT’s concern that the subpoena and interrogatories served on Mr. Rubin will have — indeed, are now having — an undue chilling effect on the innovation and technological creativity that is vital to both learning and economic growth.

MIT’s mission is to advance knowledge and educate students in science, technology, and other areas of scholarship that will best serve the nation and the world in the 21st century. We are dedicated to providing our students with an education that combines rigorous academic study with the excitement of discovery. We seek to develop in the entire MIT community the ability and passion to work wisely, creatively, and effectively for the betterment of humankind. In pursuit of these goals, we encourage our students to innovate, explore, and experiment, always within the bounds of respect for the rights and interests of others, of our community values, and of law.

From all we have seen, Mr. Rubin and his fellow students were doing exactly that in creating Tidbit. We leave to legal counsel all discussions about jurisdiction. Our point is that the chilling effect of a broad and surprising legal inquiry knows no jurisdiction. We urge your office to reexamine the need to subpoena and impose interrogatories on the Tidbit students, and we respectfully suggest that the burden imposed on these students and the chill imposed on technology innovators at large far outweigh the benefits to the Division of Consumer Affairs.

At MIT, we have documented the dramatic economic benefit to the greater Boston region and the Commonwealth of Massachusetts of technology-driven innovation and companies spawned at MIT. Regional and statewide economic benefits of this type are not unique to MIT. This is the impact of research-driven higher education in science and engineering. Creative students and faculty at New Jersey’s colleges and universities create the same economic

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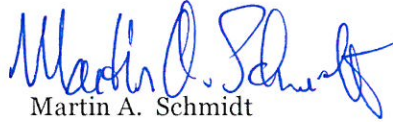
benefits. For that reason, an undue chilling effect arising from the subpoena and interrogatories served on Mr. Rubin will have adverse consequences in New Jersey as surely as at MIT.

We urge your office to withdraw the subpoena and interrogatories delivered upon Mr. Rubin.

Sincerely,



L. Rafael Reif
President



Martin A. Schmidt
Provost



Cynthia Barnhart
Chancellor

LRR/MAS/CB/rgm

cc: Mr. Glenn T. Graham, Deputy Attorney General
Mr. Hanni M. Fakhoury, Electronic Frontier Foundation