

EXHIBIT 16

David J. Sepanik
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San Francisco, CA 94111

June 16, 2009

Re: Subpoena in a Civil Case to Rackspace US, Inc.
Ref: eBay Inc. v. Digital Point Solutions, Inc., et al.
Civil Action Number: CV-08-4052

Mr. Sepanik:

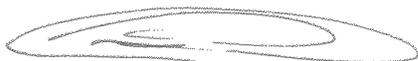
I am counsel to Rackspace with regard to this matter.

Please consider this letter as Rackspace's objections to the items requested in the Subpoena in a Civil Case to Rackspace US, Inc. served June 4, 2009.

Rackspace US, Inc. objects to this request as it is overly broad and unduly burdensome in that each request seeks all documents related to Rackspace US, Inc.'s relationship with Defendants, including data which may or may not reside on our network. As such, the request is cumulative or duplicative in that the information requested can and should be obtained from another source that is more convenient. *In re Malev Hungarian Airlines*, 964 F2d 97, 102. Also, the request is unduly burdensome in that it seeks to have a nonparty dedicate significant manpower and cost to produce documents which may be available from a party to the dispute.

Subject to and without waiving our objections, Rackspace can produce billing records and agreements between Defendants and Rackspace. Rackspace does not keep "logs," or records of session times and/or durations. As to the requests made in numbers 2 through 23, Rackspace has no documents responsive to the requests made.

Sincerely,



Perry Robinson
Associate General Counsel

