

The Honorable Charles E. Grassley, Chairman
The Honorable Dianne Feinstein, Ranking Member
Committee for the Judiciary
United States Senate
Washington, DC 20520

Re: The Nomination of Jonathan A. Kobes as Judge for the United States Court of Appeals for the Eighth Circuit

Dear Chairman Grassley and Ranking Member Feinstein:

I write to you and the other Members of the Committee for the Judiciary in support of the nomination of Jonathan A. Kobes as Judge for the best United States Court of Appeals for the Eighth Circuit.

I have the honor of knowing Jonathan A. Kobes since March 2009, where i was Deputy General Counsel for POET, LLC, a \$5 billion biofuels company based in Sioux Falls, SD. We worked together at POET into 2012, when Mr. Kobes left POET to take an in-house legal position with Dupont Pioneer. We have remained in contact and have seen one another a couple or few times per year since then (including this year), as his family remains in Sioux Falls and he is frequently here.

I hold Mr. Kobes in very high professional and personal regard. During the time we overlapped at POET, Mr. Kobes had first-chair responsibility for all litigation and regulatory/administrative law matters. In time, his responsibilities shifted toward working on strategically important and complex regulatory matters and government relations for POET, especially (i) federal regulation of ethanol in liquid transportation fuel (and especially the “E-15 fuel” rulemaking process) and (ii) challenging aspects of the California Low Carbon Fuel Standard. His responsibilities shifted into these areas because of the recognition that he had the necessary mix of temperament, discernment and judgment to handle the most complicated legal matters facing POET – matters that brought together constitutional, statutory and administrative legal issues federally and at the state level. And he executed on these responsibilities with exceptional skill and success.

Mr. Kobes personal and professional demeanor is excellent. He does not need to be the center of attention, yet does not dodge the responsibility to make a difficult decision. He is a very good listener, is tactful and thoughtful, and does not rush to a conclusion but thinks and asks questions to arrive at a reasoned destination. He has a good sense of humor and a ready laugh with friends. He was always courteous at POET, which was a challenging work environment, and fair and fair-minded – even with persons with whom he did not agree. I have never had the smallest reason to doubt his integrity.

Mr. Kobes and I differ politically on many matters, but this isn’t about politics. I believe Jon Kobes has the necessary professional competence, integrity and judicial temperament to serve on

the United States Court of Appeals for the Eighth Circuit. If confirmed, he will serve honorably and be an enduring credit to our profession and the bench.

Very truly yours,

Timothy M. Lindamood

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