

the D.C. Circuit recognized that where, among other factors, an agency investigation is “nationwide,” the proper judicial district for an enforcement action may be the District of Columbia. See *Cooper Tire*, 438 F.3d at 1202–03. The Court agreed with the FTC and based its ruling on its representations that the investigation involved the collection of data from commercial health plans “in Connecticut, Indiana, Kentucky, Michigan, Minnesota, and New York.” Pet’r’s Reply in Support of Emergency Pet. [Dkt. # 8], Supplemental Decl. of Jeanne Liu [Ex. A] ¶ 6. Based on the scope of the investigation, the Court determined that it spanned several states and was quasi-national and, thus, not cabined by the analysis in *Cooper Tire*. The Court did not issue the order, however,

investigation from its headquarters in D.C., it issued the subpoenas and CIDs from D.C., the compulsory process was returnable to D.C., and testimony was taken in D.C. While this Court's exercise of jurisdiction would no doubt convenience the ~~FTC~~ ^{Cooper Tire} clearly underscored that the critical question in determining whether a court has jurisdiction is the relationship between the jurisdiction and the subject-matter of the investigation. ~~See id.~~ The subject-matter of this investigation is undeniably in Ohio, not within the District of Columbia. It cannot be said that the FTC can avoid the import ~~of~~ ^{Cooper Tire} "in any health care-related inquiry" just because the agency seeks information from various states. Pet'r's Reply in Support of Emergency Pet. [Dkt. # 8], Supplemental Declaration of Jeanne Liu [Ex. A] ¶ 6. In this case, the three entities involved are all in the Toledo, Ohio, area.² The subject matter of the investigation concerns these three Respondents and not any entity elsewhere. This differs starkly from the nationwide investigation ~~in~~ ^{Rouche} which focused on the potential improprieties of a national political party, engaged in a national election, with a record of donations from twenty states. ~~See Cooper Tire,~~ ^{438 F.3d at 1202-03.} The
