

1 carried on by the Toyota with a willful and conscious disregard of the rights or safety of  
2 others. It is despicable conduct that subjects persons to cruel and unjust hardship in  
3 conscious disregard of their rights. It was intentional misrepresentation, deceit, or  
4 concealment of a material fact known to Toyota, with the intention on the part of Toyota  
5 of thereby depriving persons of property or legal rights. Plaintiff and the class are  
6 entitled to punitive damages.

7  
8 **SECOND CLAIM FOR RELIEF**

9 **(Class Action Against All Defendants for Injunction and Declaratory Relief for**  
10 **Unlawful, Fraudulent, and Unlawful Practices in Violation of the**  
11 **California Unfair Competition Law)**

12 59. Plaintiff incorporates paragraphs 1 through 58.

13 60. On information and belief, all the conduct by Toyota described in this  
14 complaint took place, originated, or emanated at the headquarters of Toyota in Los  
15 Angeles County, California.

16 61. Plaintiff owns a 2009 Camry, which he purchased in California  
17 approximately in February, 2009.

18 62. This conduct by Toyota constitutes unlawful, fraudulent, and unfair  
19 competition under the California Unfair Competition Law.

20 63. Toyota's conduct is unlawful because, among other things, it constitutes  
21 breach of warranty and violation of the Song-Beverly Consumer Warranty Act.

22 64. Toyota's conduct is fraudulent within the meaning of the Unfair  
23 Competition Law because, among other things, as stated more particularly above, it is  
24 and has been likely to deceive the class members and members of the public about the  
25 safety of the Subject Vehicles, the unintended acceleration and its risks, what can and  
26 has been done about it, and the safety of the instructions in the "Interim Notice," all as  
27 stated in above.

28 65. Toyota's conduct is unfair within the meaning of the Unfair Competition