general public.

91. Toyota's vehicles are not fit for that purpose in that their design or manufacture is so defective as to cause such vehicles to suddenly and unintentionally accelerate and, subsequent to such acceleration, provide an insufficient safety mechanism to allow the driver to slow and stop the vehicle safely.

92. Plaintiffs, and every member of the classes alleged herein, have been similarly damaged as a result of this breach of warranty.

SIXTH CAUSE OF ACTION

NEGLIGENCE

(By Plaintiffs and the Class Against All Defendants)

93. Plaintiffs hereby incorporate, as if set forth in full, paragraphs 1 through 62 above.

94. Defendants had a duty to their consumers, as a manufacturer of motor vehicles, to provide vehicles which, in their ordinary operation, would be safe. Defendants also had a duty to sufficiently test their vehicles' safety before selling hundreds or thousands of vehicles. Defendants had further duties once they were on notice by consumers of the propensity of their vehicles to suddenly and unintentionally accelerate, and of the inability of the driver to slow or stop such vehicles.

95. Defendants breached their duty to Plaintiffs and class members. Plaintiffs and class members have been and are currently dealing with vehicles that are inherently unsafe and more dangerous than similar vehicles manufactured by other companies.

96. Defendants' breach proximately caused the damages to Plaintiffs and class members, namely that Plaintiffs and Class members have been financially and economically damaged by owning vehicles which are inherently unsafe, and have also been further damaged in the potential risk of injury to

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