16. On or about January 14, 2010, Plaintiff ALBERT A. PENA, III was driving the 2008 Toyota Avalon in question, when the vehicle unexpectedly accelerated at a stop sign, causing a collision. Recently, Plaintiff, SYLVIA PENA, was driving the vehicle in question when the vehicle suddenly and unexpectedly accelerated while attempting to slow down to make a turn.

The Toyota Defendants' Development of ETCS-i

17. On information and belief, beginning in 1998 and continuing to the present, Defendants designed, manufactured, distributed, and sold certain automobiles equipped with Electronic Throttle Control System with Intelligence ("ETCS-i").

18. ETCS-i is a system whereby the engine's throttle is controlled by electronic signals that are sent from a sensor that detects the position of the gas pedal to an electronic control module that determines how much throttle opening is being requested and in turn sends electronic signals to a throttle control motor that opens the throttle plate.

19. Initially, Defendants designed their vehicle with both an electronic throttle control and a redundant mechanical linkage between the gas pedal and the engine throttle control as a failsafe in the event of a sudden unintended acceleration. This failsafe system would disconnect the ETCS-i and automatically allow the throttle to be controlled by the mechanical linkage.

20. Beginning in or about 2001, however, Defendants designed, manufactured, distributed, and sold Toyota and Lexus automobiles equipped with ETCS-i without any redundant mechanical linkage between the gas pedal and the engine throttle control.

TOY-TQ002-06-3D-00001252