II. ARGUMENT

A. Transfer and Consolidation or Coordination of All Actions Is Appropriate Under 28 U.S.C. §1407.

28 U.S.C. §1407 provides for transfer of actions to one district for coordinated or consolidated pretrial proceedings where actions pending in different districts involve one or more common questions of fact. 28 U.S.C. §1407(a). Transfers are authorized where the Panel determines that such transfers will be for the convenience of parties and witnesses and will promote the just and efficient conduct of such actions. *Id.*

The purpose of the multidistrict litigation process is to "eliminate the potential for contemporaneous pretrial rulings by coordinate district and appellate courts in multidistrict related civil actions." *In re Multidistrict Private Civ. Treble Damages Litig.*, 298 F.Supp. 484, 491-92 (J.P.M.L. 1968). Consolidation is especially important in class actions where "the potential for conflicting, disorderly, chaotic" action is greatest. *Id.* at 493. Transfer of related actions to a single district for pretrial proceedings avoid conflicting pretrial discovery and ensures uniform and expeditious treatment in the pretrial procedurs. *In re Phenylpropanolamine (PPA) Prods. Liab. Litig.*, 460 F.3d 1217, 1230 (9th Cir. 2006).

Transfer and consolidation is appropriate here because many common questions of fact and law exist. The Actions all arise from the same or similar nucleus of operative facts, and each seeks a determination of, among other things:

1. Whether certain Toyota vehicles are prone to unintended acceleration events;
2. if so, which Toyota vehicles are prone to unintended acceleration events;
3. what is the cause or causes of the unintended acceleration events;
4. whether Toyota failed to properly test its vehicles prior to market entry;