MEMORANDUM IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

INTRODUCTION

Defendants have placed profit over safety and have sought to limit and to stifle governmental investigations into the safety of Toyota Vehicles. Evidence in recent news accounts revealed that Toyota has known for years that its vehicles were unsafe. However, instead of working with the government to protect Ohio residents, Defendants engaged in a mercenary campaign to save money by avoiding recalls.

In an internal presentation in July 2009 at its Washington office, a Toyota official said it saved $100 million or more by negotiating an "equipment recall" of floor mats involving 55,000 Toyota Camry and Lexus ES350 vehicles in September 2007. The savings are listed under the title, "Wins for Toyota -- Safety Group." The document cites millions of dollars in other savings by delaying safety regulations, avoiding defect investigations and slowing down other industry requirements.[2]

Toyota's most recent current campaign to "fix" "sticky accelerators" similarly appears to be another scheme to save money and avoid taking appropriate measures to protect the public. Prospective class members who have had this recall repair in February 2010 have continued to experience sudden unintended acceleration (SUA) incidents. (*See* Affidavit of Connie Kamphaus attached as Exhibit 1). Vehicles with a dangerous defect remain on the highways. A Preliminary Injunction is necessary to protect Ohio pedestrians and drivers from further injury by unsafe Toyota-made vehicles.

[2] http://finance.yahoo.com/news/Documents-Toyota-boasted-apf-3066044297.html?x=0.