SIXTH CAUSE OF ACTION
Colorado Consumer Protection Act
C.R.S.§ 6-1-101, *et. seq.*

87. Plaintiffs hereby incorporate by reference, as if fully set forth herein, each and every allegation set forth in the preceding paragraphs and further allege as follows.

88. Plaintiffs Ryan Scharrel, Susan Kruschke, and Enrique Moreno are persons within the meaning of Colorado Consumer Protection Act (the "Act").

89. Toyota is a person within the meaning of the Act for all purposes therein.

90. Plaintiffs are persons entitled to bring a claim pursuant to the Act.

91. The heightened propensity of the Subject Vehicles to suddenly and unexpectedly accelerate was material information that people considering a purchase of one of those vehicles would have considered important and which information would have affected their decisions to purchase the Subject Vehicles and how much to pay for them.

92. Toyota purposely and knowingly failed to disclose this material information to Plaintiffs and the Class members at the time that they purchased the Subject Vehicles with the intent to induce Plaintiffs and the Class members to purchase the Subject Vehicles and pay more for them than they otherwise would have. These material omissions are Deceptive Trade Practices within the meaning of the Act.

93. Toyota has also made affirmative misrepresentations about the nature, extent, and cause of the sudden acceleration problem in the Subject Vehicles. Toyota's false, deceptive, and misleading statements and representations, which statements and representations it made knowingly, are Deceptive Trade Practices within the meaning of the Act.

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