33. Had the Plaintiff known about the history of accelerator problems with Toyota motor vehicles, she may not have purchased the Toyota Corolla or would have purchased it for a substantially lower sum of money than she had paid for it to Defendants or their agents.

34. After all of the media attention to this problem of Toyota, the Plaintiff contacted the undersigned counsel to represent her in the within action. Counsel conducted an independent investigation into the acts and practices of Toyota with respect to the subject matter of this suit and the chilling facts uncovered with respect to Toyota's scheme are hereinafter set forth to which facts counsel believes to be true upon their best information and belief.

35. In addition to concealing and fraudulently representing the safe condition of motor vehicles to consumers, Toyota also fraudulently misrepresented to consumers that said motor vehicles were safe and reliable.

36. The above described practices are continuing to the present and are likely to continue in the future.

V. CLASS ACTION ALLEGATIONS

37. This action is brought and may properly be maintained as a class action pursuant to the provisions of Art. 9 of the CPLR.

A. Class Definition

38. The class consists of the group delineated in paragraph 25 above, as excluded by paragraph 26.

B. Numerosity

39. The class consists of at least 50,000 persons and perhaps as many as 1,000,000 located in the State of New York, and perhaps other jurisdictions. The class members are

TOY-TQ002-06-3D-00003103