

D. Whether Defendants knew or became aware that the recalled vehicles were not properly designed, yet continued to manufacture, distribute, advertise, and market the cars without correcting the problems and while concealing the defective design from the public and the class;

E. Whether design defects in the recalled vehicles could have been remedied by Toyota by installing back-up safety systems that would prevent uncontrolled or sudden acceleration;

F. Whether Defendants engaged in a pattern and practice of deceiving and defrauding the class and suppressing the defective nature of the recalled cars;

G. Whether Defendants failed to give adequate warnings regarding the recalled cars;

H. Whether Defendants, through written advertising and other representations, created express or implied warranties that were breached;

I. Whether Defendants are strictly liable for damages to Plaintiffs and the members of the Class;

J. Whether Defendants acted negligently;

K. Whether Plaintiffs and the members of the Class are entitled to compensatory damages, and, if so, the nature of such damages;

L. Whether Plaintiffs and the members of the Class are entitled to punitive or exemplary damages and, if so, the nature of such damages; and

M. Whether Plaintiffs and members of the Class are entitled to an award of reasonable attorneys' fees, prejudgment interest, post-judgment interest and costs of suit.