subject vehicles. The diminution in fair market value would not have occurred but for the inherent defect in the subject vehicles. Members of Plaintiff Subclass One and their Subclass Representatives, demand judgment against Defendants for compensatory damages in an amount to be determined at trial, together with reasonable attorneys' fees.

COUNT 4 – VIOLATION OF CONSUMER PROTECTION STATUTES

73. Each preceding paragraph is realleged and incorporated in full as though fully set forth herein.

74. Defendants' advertising, marketing, distribution, and sales of Toyota, Lexus, and Scion vehicles equipped with ETCS-i, but without BOS installed, as well as its servicing of those vehicles after sale, constitute conduct and activities in the course of trade and commerce.

75. Defendants engaged in unfair, unconscionable, deceptive, and fraudulent trade practices and acts in violation of the state consumer protection statutes listed below by advertising, marketing, distributing, and selling the subject vehicles without informing them of the common defects relative to the ETCS-i and BOS.

76. As alleged above, Defendants had, and still have, superior knowledge of the inherent defect in the subject vehicles, and intentionally concealed the defects from members of Plaintiff Subclass Two and their Subclass Representatives in order to induce them into purchasing one or more of said vehicles.

77. At the very least, Defendants should have known of the defective nature of the subject vehicles, yet Defendants failed to warn or otherwise inform members of Plaintiff Subclass Two and their Subclass Representatives about the common defect in said vehicles. Members of Plaintiff Subclass Two and their Subclass Representatives did not know, and had no reason to know, of the defect prior to purchasing their subject vehicles.