4. Following the September 2009 recall, Defendants continued to receive reports of sudden acceleration in the Defendants' vehicles. Defendants continued to falsely claim that the incidents were caused by floor mats, the configuration of accelerator pedals and difficulty shutting off models with keyless ignition.

5. Recently, Defendants acknowledged that additional models were defective and announced the recall of additional models and suspension of the sale of many of the Defendants' vehicles until the defects could be remedied.

JURISDICTION AND VENUE

6. This Court has jurisdiction over the parties and subject matter of this litigation. This Court has been granted jurisdiction over the subject matter of this litigation by the legislature. This Court has personal jurisdiction over the Parties to this litigation because the Defendant is a resident of this jurisdiction and has conducted sufficient business within this jurisdiction such that they may reasonably anticipate being hailed into court in this jurisdiction.

7. Venue is proper in this jurisdiction because one or more of the Parties resides in this jurisdiction and many of the acts complained of herein occurred within this jurisdiction.

PARTIES

8. Plaintiffs Walter McKinney and Frankie McKinney are residents of Childress County, Childress, Texas. Plaintiffs are the owners of a vehicle manufactured and sold by the Defendants.

9. Defendant Toyota Motor Sales, U.S.A., Inc. ("TMS"), at all times mentioned, was and is a California corporation, organized and existing under the laws of the State of California, with its principal place of business in Los Angeles, California. Defendant TMS engages in the sale of automobiles in this State derives substantial revenue from sales within this State and has sufficient contacts with this State to give this Court jurisdiction.

10. Defendant TOYOTA MOTOR ENGINEERING &

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