17. Excluded from the class are the Defendants and their parents, subsidiaries, and affiliates.

18. This action seeks recovery only for economic losses suffered by members of the Class and expressly is not intended to request any recovery for personal injury.

19. The Class is so numerous that the individual joinder of all members is impracticable. Although an exact number is unknown, Plaintiff believes there are thousands of Class members within the State of Indiana.

20. There are questions of law and fact common to all members of the Class and capable of class-wide proof, and these common questions predominate over any questions affecting individual class members.

21. The Plaintiff's claims are typical of the claims of the Class. The Plaintiff is a member of the Class, has been injured by the same common course of wrongful conduct by the Defendants that has damaged the other members of the Class, and brings claims based upon the same legal theories as the other members of the Class.

22. The Plaintiff will fairly, fully and adequately protect the interests of the Class, and has retained competent counsel experienced in prosecuting complex class action litigation. The Plaintiff has no interests that conflict with, or are adverse to, those of the Class.

23. The questions of law and fact common to all members of the Class predominate over any questions affecting only individual members, such that a class action is superior to other available methods for the fair and efficient adjudication of this controversy.

24. Absent a class action, there is a substantial risk that the Defendants would retain the benefits of their wrongdoing. Individual litigation would also increase the delay and expense to all parties and to the court system by causing repetitive proceedings, motion practice and

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