marketed, advertised, packaged and labeled by Toyota, and they were deprived of the benefit of their bargain and spent money on a product that had less value than warranted or a product they would not have purchased and used had they known the true facts about it. Additionally, or in the alternative, plaintiff and other members of the class suffered actual damages, including a diminution of value of the subject vehicles (the difference in market value of the product in the condition in which it was delivered, and its market value in condition in which it should have been delivered according to contract of parties).

IX. FOURTH CAUSE OF ACTION

(FRAUDULENT CONCEALMENT)

44. Plaintiff repeats and again alleges all preceding paragraphs, as if fully set forth herein.

45. Toyota had a duty to disclose the truth about risks associated with the design, testing, manufacture, assembly and development of the Recalled Vehicles as set forth in detail above, but delayed and failed to do so.

46. Toyota concealed these facts relating to the accelerator pedal mechanism of the Recalled Vehicles when they knew, or had reason to know, the true and correct facts regarding the defectiveness of the Recalled Vehicles Product, and that Toyota took steps to prevent these facts from becoming known to the general public in the marketing, promotion and sale of the Product.

47. The concealment of the true facts from plaintiff and other members of the Class was done with the intent to induce plaintiff and class members to purchase the Recalled Vehicles.

48. The reliance by plaintiff and Class members was reasonable and justified in that Toyota appeared to be, and represented itself to be, a reputable business. Plaintiff and Class members would not have purchased the Recalled Vehicles had they known the true facts about the