Defendants, repeat each and every allegation contained in the prior paragraphs of this complaint.

80. For the reasons discussed below, Defendants have engaged in unfair competition and prohibited activities. Unfair competition shall mean and include any lawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue or misleading advertising and any act prohibited by California Business and Professions Code § 17200 *et seq.*, and especially because Defendants made "false or misleading advertising" claims that:

a. purport to be based on factual, objective, or clinical evidence;

b. compare the product's effectiveness or safety to that of other brands or products: or

c. purport to be based on any fact.

81. Defendants' conduct in withholding defect information from Toyota drivers and consumers, covering up the actual cause of the accelerator defect once it became known to them, and allowing defective vehicles to flood the stream of commerce knowing they were defective caused substantial harm to Plaintiffs and the other Class members. Plaintiffs have suffered lost use of their vehicles, fear of collisions while driving their vehicles, loss of value of their vehicles, as well as a general loss of confidence in the representation and warranties of Defendants as a result of Defendants' deceptive conduct.

82. Defendants further profited from these unfair business practices. By not revealing to California consumers that the vast majority of their vehicles being sold at California dealerships were defective, Defendants profited from sales of their defective vehicles during the time period they concealed or misrepresented the truth about the defect. Defendants sat idly by while consumers were buying and driving Defendants' dangerously defective vehicles because they did not want to disrupt their sales and profits in the state of California.

83. Pursuant to Cal. Bus. & Prof. Code §17200 *et seq.*, and other similar state

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