misrepresentations and omissions were applied uniformly to all members of the Class, so that the questions of law and fact are common to all members of the Class. All putative Class members were and are similarly affected by having purchased the Recalled Vehicles for their intended and foreseeable purpose as promoted, marketed and advertised by Toyota, and the relief sought herein is for the benefit of Plaintiffs and members of the putative Class. Plaintiffs allege that the Class is so numerous that joinder of all members would be impractical.

24. Based on the annual sales of the Recalled Vehicles and the popularity of the Recalled Vehicles, it is apparent that the members of the putative Class would number at least in the many thousands, thereby making joinder impossible. Questions of law and fact common to the Class exist and predominate over questions affecting only individual members, including, *inter alia*:

(a) Whether Toyota's acts, practices, misrepresentations and omissions in connection with the promotion, marketing, advertising, distribution and sale of the Recalled Vehicles were unlawful, unfair or fraudulent in any respect, thereby violating California Business and Professions Code § 17200, *et seq.*, California Business and Professions Code § 17500, *et seq.*, and California Civil Code § 1750, *et seq.*;

(b) Whether Toyota violated the Consumers Legal Remedies Act, Cal. Civ. Code §1750, *et seq.*;

(c) Whether Toyota violated the Cal. Civ. Code § 1709 in connection with the promotion, marketing, advertising and sale of the Recalled Vehicles;

(d) Whether Toyota breached express and implied warranties in its promotion, advertising, distribution and sale of the Recalled Vehicles, thereby causing harm to Plaintiffs and other Class members;

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