U.S.A. ("Toyota"), including models 2005 – 2010 Avalon, 2007 – 2010 Camry, 2004 – 2009 Prius, 2005 - 2010 Tacoma, 2007 – 2010 Tundra, 2007 – 2010 ES350, 2006 – 2010 IS250 and IS350; which are subject to the Voluntary Safety Recall Related to Floor Mats announced by Toyota on November 2, 2009, excluding those who have experienced an unintended acceleration, and excluding Toyota, its parents, directors and officers of Toyota, directors and officers of its parents, and governmental entities ("Class").

7. Alternatively, Plaintiff seeks to represent an Arkansas Class.

8. The Class is so numerous that joinder of all parties is impracticable.

9. TMS's actions apply uniformly to all members of the Class, so that the questions of law and fact are common to all members of the Class, thus satisfying Fed.R.Civ.P. 23(a)(2). Common questions of fact and/or law include the following:

a) whether TMS issued a recall of certain driver's floor mats;

b) whether the concerned recall instructs Plaintiff and Class members to take out driver's floor mats and not replace them;

c) whether TMS has reimbursed or compensated Plaintiff and Class members for the loss of the use of the driver's floor mats;

d) whether the floor mats are rendered worthless to Plaintiff and Class members as a result of the recall;

e) whether the vehicle based remedy adequately compensates Plaintiff and Class member for their damages;

f) whether TMS has breached its contracts with Plaintiff and Class members;

g) whether TMS has breached the implied warranty of