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Defendants' Counsel

On Behalf of Plaintiffs

19 UNITED STATES DISTRICT COURT
20 CENTRAL DISTRICT OF CALIFORNIA
21 SOUTHERN DIVISION
22

23 **IN RE: TOYOTA MOTOR CORP.
24 UNINTENDED ACCELERATION
25 MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION**

26 **This Document Relates To:**
27 **ALL CASES**
28

CASE NO: 8:10ML2151 JVS (FMOx)
JOINT PRELIMINARY REPORT

Date: May 13, 2010
Time: 9:00 a.m.
Location: Court Room 10C
Judicial Officer: Hon. James V. Selna

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Manual for Complex Litigation (Fourth),
§ 20.31 21

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("MCL 4th")
Sections 10.221-222 4

Manual For Complex Litigation, Fourth Edition (Federal Judicial Center 2004)
§ 22.62 4

1 **I. INTRODUCTION**

2 This Preliminary Report is respectfully submitted by the undersigned
3 counsel, pursuant to the Court's April 14, 2010 *Order No. 1: Initial Conference*,
4 and the Court's April 19, 2010 *Order Re Clarifying the Scope of Applications*, to
5 address the matters set forth therein.

6 The undersigned counsel for plaintiffs and defendants have met and
7 conferred and have cooperated, where appropriate, in the drafting of this Joint
8 Preliminary Report.

9 Defendants' counsel have taken no part in the preparation of sections
10 of the report designated as Plaintiff's Proposals. These sections include Plaintiffs'
11 Proposed Structure and Roles of Counsel, Plaintiffs' Proposed Definition of Core
12 Discovery, and Plaintiffs' Section on Potentially Dispositive Issues. Submission of
13 those sections as part of this Joint Report does not constitute a waiver on
14 Defendants part to object to any statements contained therein.

15 The undersigned plaintiffs' counsel have attended all known public
16 meetings of plaintiffs' counsel, and have listened to, and considered, all ideas and
17 proposals. The undersigned plaintiffs' counsel also circulated various drafts of this
18 report to all plaintiffs' counsel for their review and consideration. To the extent
19 that the proposals are believed to comply with the Court's Orders, the undersigned
20 plaintiffs' counsel have attempted to incorporate herein as many of those proposals
21 as practicable.

22 **II. PRELIMINARY REPORT**

23 **A. Proposed Structure of Counsel**

24 **1. Plaintiffs' Proposed Structure And Roles Of Plaintiffs'**
25 **Designated Counsel**

26 The undersigned counsel for plaintiffs respectfully recommend that the
27 Court adopt a final plaintiffs' leadership structure based on and consistent with that
28 described by the Court in Paragraphs 2.1 and 7 of its April 14, 2010 *Order No. 1*,

1 and its April 19, 2010 *Order Re Clarifying the Scope of Applications*, as follows:

2 Specifically, we recommend appointment of

- 3 • Two attorneys as Co-Lead Liaison Counsel to chair a Liaison Counsel
4 Committee for the personal injury and wrongful death actions (for
5 simplicity, the “Personal Injury Committee”). The Personal Injury
6 Committee will be comprised of the Co-Lead Liaison Counsel and
7 seven other members, for a total membership of nine attorneys who
8 represent plaintiffs in significant personal injury or wrongful death
9 actions that are a part of these MDL proceedings, to undertake the
10 responsibilities and perform the roles described for such Committee in
11 Paragraph 2.1 of *Order No. 1*, and as further discussed below.
- 12 • Three attorneys as Co-Lead Counsel to chair a Lead Counsel
13 Committee for the economic loss cases (for simplicity, the “Economic
14 Loss Committee”). The Economic Loss Committee will be comprised
15 of Co-Lead Counsel and six other members, for a total membership of
16 nine attorneys who have filed economic loss class actions that are a
17 part of these MDL proceedings, to undertake the responsibilities and
18 perform the roles described for such Committee in paragraph 2.1 of
19 *Order No. 1*, and as further discussed below.
- 20 • A Core Discovery Committee chaired by the Co-Lead and Co-Liaison
21 Counsel described above, with its members drawn from the Personal
22 Injury and Economic Loss Committees described above. Any
23 additional members to be drawn from other Committees will be
24 recommended by Lead Liaison Counsel and Lead Counsel and be
25 subject to the approval of the Court. The Core Discovery Committee
26 will be charged with the conduct of MDL 2151 core discovery
27 (discovery into the development, marketing, sales, manufacture, and
28 administration of the Toyota products and product programs at issue in

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this litigation), as further detailed in the core discovery working definition in Section 1.B.

- Plaintiffs’ Co-Lead Liaison Counsel and Co-Lead Counsel will be charged with the responsibility to oversee and manage the day-to-day issues of the cases, will chair the Personal Injury and Economic Loss Committees, respectively, and will have the authority to designate which members of their Committees shall undertake any tasks. Certain plaintiffs’ counsel have recommended that a Plaintiffs’ Executive Committee be appointed to serve in an advisory role to the Lead Counsel Committees, however, the undersigned do not propose the formation of an Executive Committee at this time.
- The above-described Committees may, upon post-appointment consultation and subject to Court approval, form specialized subcommittees, with additional plaintiffs’ counsel, to assist them in the conduct of core discovery, and assist the appropriate Committee on particular aspects of the cases. Such subcommittees could include, for example, responsibilities in the following areas:
 - existence and nature of product defects, including expert discovery relating to such defects;
 - electronic discovery and document depository issues;
 - Toyota’s interactions with U.S. regulatory agencies;
 - foreign discovery, including depositions of Japanese nationals;
 - Toyota’s marketing and advertising practices;
 - Toyota’s finances, insurance, revenues, and profits relating to the products and marketing programs at issue;
 - responding to defendants’ discovery requests;
 - legal theories of class wide relief, including California’s Unfair Competition Law, and other consumer/economic loss remedies

- 1 and statutes;
- 2 – law, pleadings, and briefing;
- 3 – class certification issues, including related discovery and
- 4 experts;
- 5 – federal/state court coordination.

6 In proposing this organizational structure, we have solicited and taken
7 into account the suggestions of other plaintiffs’ counsel. We have been mindful of
8 the suggestions and cautions of Sections 10.221-222 of the Manual For Complex
9 Litigation, Fourth Edition (Federal Judicial Center 2004) (“MCL 4th”) regarding
10 fairness, efficiency, cost control, and avoidance of duplication, in the context of the
11 particular challenges of this litigation. This Court’s *Order No. 1* has taken the
12 initiative in providing a structure, as the MCL 4th prescribes, for lead counsel and
13 committees

14 “to coordinate discovery and other pretrial preparation”
15 recognizing that “lead counsel and committees of counsel
16 for the plaintiffs in mass tort litigation perform a host of
17 functions. They develop proof of liability and anticipate
18 defenses; gather the expertise necessary to prove
19 causation and other elements of plaintiffs’ cases . . .
20 manage discovery; coordinate the various filings; and
21 communicate with counsel for plaintiffs, counsel for
22 defendants, and the court.”

23 MCL 4th § 22.62. In this MDL proceeding, which involves sales and marketing
24 practices, and class action claims as well as individual death and injury claims,
25 designated counsel will be entrusted with the class issues and class certification
26 process under Rule 23; exploring whether the personal injury cases may present the
27 opportunity for bellwether trials; and considering whether specific fact or law
28 questions common to all or a substantial portion of the cases may be tried on a

1 consolidated basis under Rule 42. Such issues cannot yet be decided, but should be
2 explored by experienced counsel.

3 In general terms, it is expected that Co-Lead Liaison Counsel would
4 preside over meetings of the Personal Injury Committee and work collaboratively
5 with the members of that Committee to provide overall direction and supervision to
6 the work of the Committee, and serve as liaison counsel for other plaintiffs' counsel
7 who have brought personal injury or wrongful death actions. It is expected that Co-
8 Lead Counsel for the economic loss cases would preside over meetings of the Lead
9 Counsel Committee and be responsible for providing overall direction and
10 supervision to the members of that Committee and to other attorneys who have
11 brought actions for economic losses, and serve as liaison counsel for those
12 attorneys.

13 The specialized committees referred to above are committees that may
14 be proposed to be established by Co-Lead Liaison Counsel and Co-Lead Counsel in
15 consultation with the members of their respective Committees to assist the work of
16 the Core Discovery Committee and the Lead and Liaison Counsel Committees. It
17 is not proposed that the Court establish those committees or appoint attorneys to be
18 members of those committees at this time. Instead, it is proposed that specialized
19 committees be established by the attorneys appointed by the Court to lead this
20 litigation. The above description of the functions to be performed by those
21 specialized committees is intended to be illustrative of the tasks that may be
22 assigned to such committees.

23 Plaintiffs' counsel may choose to apply to chair or serve on such
24 committees at this time and the Court may determine whether such counsel are
25 generally qualified to so serve, and recommendations for service on those
26 committees may also be made at this time. It is anticipated that all plaintiffs'
27 counsel would be eligible to apply to serve on one or more of the specialized
28 committees. It is further anticipated that whatever committee structure is proposed,

1 the membership of those committees would be subject to the approval of the Court.

2 Pursuant to their appointment, it is anticipated that the Lead Counsel
3 that this Court appoints would take the next step of preparing detailed proposed
4 Orders, for Court consideration and approval, that delineate in greater detail, and
5 consistent with the recommendations of Sections 10.221-10.222; 14.212-14.216;
6 and 22.62 of the MCL 4th, the roles and responsibilities of respective counsel, the
7 time and costs reporting systems essential to avoid waste and duplication, and a
8 common benefit assessment system to equitably spread costs among all
9 beneficiaries of the work of this MDL.

10 The undersigned counsel for plaintiffs are of the view that a number of
11 plaintiffs' law firms who have filed actions on behalf of plaintiffs in these
12 proceedings can make significant contributions to the effective and efficient
13 prosecution of these cases. Plainly, much work needs to be done to effectively
14 manage and prosecute these cases, given the scope and nature of the factual,
15 technical and legal issues in this case. We believe that plaintiffs' law firms,
16 working cooperatively together, will best bring to bear the talent and experience
17 capable of prosecuting these cases. We thus respectfully recommend that the Court
18 adopt an inclusive approach that enables numerous plaintiffs' law firms to
19 participate in discovery and specialized legal work, under the supervision of the
20 Co-Lead Liaison and Co-Lead Counsel.

21 The undersigned believe that, as to non-case-specific services, rigorous
22 attention by leadership to cost conservation and discipline in the expenditure of
23 time are key, and would recommend: (1) strict adherence to a costs-and-time record
24 keeping process; (2) periodic and confidential reports to the Court, by both
25 plaintiffs' and defendants' counsel, of their costs and time; and (3) strict control
26 over assignments by Co-Lead Liaison and Co-Lead Counsel to plaintiffs' counsel
27 for common benefit work to avoid unnecessary time or expenses. We believe the
28 foregoing structure will enable the cost-effective utilization of the substantial

1 financial and personal resources necessary to prosecute this case on behalf of
2 plaintiffs.

3 This proposed structure seeks to incorporate the structure, and adopt
4 the terminology, described by the Court, and is tailored to the intersecting common
5 issues raised, and the core discovery required, by both personal injury and
6 economic loss actions. It provides for a leadership structure that is capable, at the
7 top, of efficient and authoritative communication with the Court, and of effective
8 decision-making, which is also able to implement common tasks through a
9 committee structure inclusive enough to deploy the resources necessary to
10 prosecute both individual and class claims against a well-funded defendant in a
11 high-profile case of widespread public concern. The necessity for those plaintiffs
12 firms involved in leadership positions, as Co-Lead Liaison Counsel, as Co-Lead
13 Counsel, and as Committee members, to contribute, out-of-pocket costs and
14 services on a contingency fee basis, to the costs of conducting core discovery
15 (including the costs of experts) and advancing the class claims, ensures that the
16 time and resources devoted by designated counsel to fulfill the common tasks will
17 not be wasted, and will serve to advance the litigation toward trial or resolution.

18 Though the issue of organization is between the Court and Plaintiffs,
19 Plaintiffs will surely manage the communication with Toyota's counsel and provide
20 for an effective manner and plan that ensures Toyota will have appropriate channels
21 and contacts for communication. Insofar as technical issues are concerned,
22 Plaintiffs are responsible for ensuring technical proficiency and it is their
23 prerogative as to how and by whom this issue will be handled.

24 **2. Defendants' Proposals Concerning The Structure Of**
25 **Plaintiffs' Counsel**

26 Defendants generally agree with the structure and roles set forth by
27 Plaintiffs, but write separately to raise certain issues and make certain
28 recommendations. First, given the significant number of related state proceedings

1 (Toyota is currently aware of nearly 100 state cases), Defendants believe it may be
2 helpful to establish State Coordination Liaison Counsel to act as liaisons between
3 counsel representing parties in state court actions and counsel for plaintiffs in this
4 federal litigation. Second, and as discussed in further detail below in Defendants'
5 Proposed Definition of Core Discovery, given the technical nature of the discovery
6 at issue, Toyota suggests that the Core Discovery Committee include at least some
7 counsel with expertise in technical issues to assist in negotiating the scope of
8 discovery. Finally, Toyota believes that the authority of co-lead counsel should be
9 specifically addressed. In order to ensure that there is no miscommunication or
10 confusion and to streamline communication and promote efficiency, it would be
11 beneficial to make clear to Defense Counsel and to the Court which counsel has
12 authority to bind the Committees, and which counsel will be the point persons for
13 discussions and negotiations with Defense Counsel.

14 **3. Defendants' Proposed Structure For Defense Counsel**

15 Although certain defendants are represented by separate counsel,
16 because there is a unity of interest among the defendants, the Parties submit that a
17 formal management structure would be unnecessary on the defense side. However,
18 the Parties jointly submit that Cari K. Dawson and Lisa Gilford of Alston & Bird
19 LLP be appointed Co-Lead Counsel with primary responsibility for the Class
20 Actions, individual economic damage and "Lemon Law" cases. Defendants request
21 that Vince Galvin and Joel Smith of Bowman & Brooke be appointed Co-Lead
22 Counsel with primary responsibility for the Individual Personal Injury cases.
23 Additionally, certain technical issues will be critical to both class and individual
24 cases, and therefore the Parties request that Vince Galvin and Joel Smith of
25 Bowman & Brooke be appointed as Liaison Counsel for technical issues for all
26 matters within the MDL.

27 These designations are not intended to be limiting, and given the
28 overlap of issues among the cases, defense counsel will address specific issues as

1 appropriate and with a view toward coordination and efficiency. Defendants
2 reserve the right to revisit the issue of the structure and organization of Defendants'
3 Counsel as defendants are served and appear, and should it be appropriate to more
4 specifically address the categories of claims that will ultimately go forward in this
5 litigation.

6 **B. Definition Of Core Discovery**

7 **1. Plaintiffs' Proposed Definition Of Core Discovery**

8 While at this early stage in this litigation it is impossible to identify
9 every issue on which discovery will be needed, the scope of discovery will include
10 the following.

11 **a. Types Of Information And Documents, And Types Of**
12 **Discovery**

13 In the technical area, core discovery includes the existence of a defect
14 or defects in Toyota vehicles that are responsible for causing sudden unintended
15 acceleration; the possible failure of Toyota to comport with the standard of care in
16 the automotive industry; and the design and manufacture of the engine throttle
17 control system (including pedals, floor mats, electronic control systems, accelerator
18 pedals, throttle bodies, engine control modules, printed circuit boards and the
19 associated components). Additional defect-related topics include critical systems
20 engineering, fault-tolerant design, and fail-safes; the data contained in the engine
21 control modules; and the event data recorders in all Toyota vehicles.

22 Core discovery will involve the depositions of Toyota employees and
23 corporate designees involved with the design and implementation of electronic
24 throttle control systems, and those current and former employees who have
25 knowledge of the problem of sudden unintended acceleration in both the design
26 stage of the vehicles as well as the vehicle's performance in the field. Discovery
27 regarding the decision-making process and chain of command in and among the
28 Toyota entities will be required.

1 The time period relating to the design of the electronic throttle control
2 systems at issue begins prior to the production of the 2002 model year passenger
3 vehicles, which is when the major rollout of electronic throttle control (“ETC”) is
4 believed to have commenced. An early version of ETC was placed into some
5 vehicles as early as model year 1998. Given that it typically takes several years to
6 design and implement such systems, the scope of discovery, at least regarding
7 design and engineering documents, may need to go back to at least 1993.

8 Core discovery will involve the timing and nature of Toyota’s
9 knowledge, awareness, and intent regarding the sudden unintended acceleration
10 phenomenon and the defects implicated therein, in short, what Toyota officials
11 knew and when they knew it. Additionally, there will be discovery relating to what
12 Toyota officials advised government agencies, including the National Highway
13 Traffic Safety Administration and its Office of Defect Investigation, in response to
14 what was known about problems associated with sudden unintended acceleration.
15 Core discovery includes what Toyota told its customers and dealers in response to
16 the information it knew or should have known regarding sudden unintended
17 acceleration, and includes an examination of Toyota’s marketing and advertising
18 practices and communications with its dealers, regulatory agencies, and the general
19 public, since at least 2002.

20 Core discovery topics include:

- 21 • The design and implementation of Toyota’s electronic throttle control
22 systems, and their components, including software;
- 23 • Toyota’s notice, awareness, and intent, i.e., what it knew or should
24 have known, regarding the problem of unintended acceleration;
- 25 • What Toyota did and failed to do when it learned of the unintended
26 acceleration problem;
- 27 • Toyota’s representations and conduct regarding the problem of
28 unintended acceleration;

- 1 • Toyota's concealment and omissions regarding the problem of
2 unintended acceleration;
- 3 • Toyota's duty and responsibility to disclose the defects and unintended
4 acceleration problem;
- 5 • The development of the Toyota products and product programs,
6 including alternative and competitive product designs and programs;
- 7 • Toyota's marketing and promotional efforts regarding its products and
8 product programs and the results of these efforts, including Toyota's
9 marketing campaign regarding the safety, quality and reliability of its
10 vehicles;
- 11 • The nature, scope, and existence of defects in the Toyota products and
12 product programs and Toyota's notice of the said defects;
- 13 • The information kept by or transmitted to Toyota's dealers relevant to
14 the unintended acceleration problem, including Dealer Contact
15 Reports, Dealer Files, and warranty work records;
- 16 • The failure of the Toyota products and product programs to comport
17 with the standard of care in the automotive industry, with regard to the
18 design and manufacture of the engine throttle control system,
19 including pedals, floor mats, electronic control systems, accelerator
20 pedals, throttle bodies, engine control modules, software, printed
21 circuit boards and the associated components;
- 22 • The critical systems engineering, fault-tolerant design, redundancy
23 capabilities, watchdog systems and fail-safe mechanisms of the
24 electronic throttle control systems of Toyota vehicles;
- 25 • The software programming and data contained in the engine control
26 modules of Toyota vehicles;
- 27 • The fault detection and error correction systems used in the engine
28 control modules of Toyota vehicles;

- 1 • Failure Modes and Effects Analysis of the Toyota electronic throttle
2 control systems;
- 3 • The data and the interpretation of the data contained in the event data
4 recorders of Toyota vehicles;
- 5 • The incidents of unintended acceleration (e.g., Other Similar Incidents,
6 or “OSIs”), both suspected and confirmed, and people who have
7 experienced, witnessed, or documented such incidents, including law
8 enforcement personnel;
- 9 • Toyota’s position(s) in governmental and legislative investigations
10 regarding its vehicles and the issue of unintended acceleration;
- 11 • Toyota’s dealings with the National Highway Transportation Safety
12 Administration (“NHTSA”) and NHTSA’s investigation, handling and
13 response to the unintended acceleration issue;
- 14 • Toyota’s decision as to whether and when to mail notice to owners and
15 purchasers advising of defects related to the safety of its products;
- 16 • Prior recalls by Toyota (e.g., floor mats, sticky pedals) relating to the
17 issue of unintended acceleration;
- 18 • Toyota’s management structure, corporate hierarchy, the role of
19 particular divisions and the identity of specific personnel responsible
20 for matters relevant to the claims and defenses in these actions;
- 21 • Toyota’s preservation of relevant evidence, including potential loss,
22 destruction or spoliation of evidence, including electronically stored
23 information; and
- 24 • The feasibility of repairing or fixing the defects and/or preventing
25 incidences of unintended acceleration, including the potential cost or
26 effectiveness of possible remedies.
- 27 • Whether the defects in the Toyota products and/or product programs
28 was a substantial factor in causing unintended acceleration;

- 1 • Whether consumers have been harmed by the defects in the Toyota
- 2 products or product programs;
- 3 • Whether Toyota's conduct and business practices concerning the
- 4 defects and unintended acceleration were unfair, unlawful, fraudulent,
- 5 and misleading;
- 6 • Whether the defects were a substantial factor in causing unintended
- 7 acceleration which led to personal injury and death;
- 8 • The nature and extent of any damages plaintiffs have suffered; and
- 9 • Discovery relevant to punitive damage claims.

10 Because the economic loss claims include rescission/restitution claims,
11 and statutory claims that provide for multiple damages and/or penalties, because
12 punitive damages have been alleged in both the personal injury and economic loss
13 actions, discovery into Toyota's finances and profits will also be required.

14 The automotive industry has in recent years largely transitioned from
15 paper to electronic records. Electronically stored information will likely be the
16 dominant form of information sought.

17 Document discovery can start expeditiously, by Toyota's production of
18 the documents, information, and statements that Toyota has provided to NHTSA,
19 Congress, the news media, consumer and safety advocates (e.g., Consumers
20 Union), and in products liability actions already pending, tried or settled alleging an
21 incident of unwanted acceleration.

22 **2. Defendants' Proposed Definition Of Core Discovery**

23 Without knowing the scope of the individual/class claims, definition of
24 putative classes which may be included in any consolidated, master, or "exemplar"
25 complaint(s), and/or theories of liability,¹ Toyota believes it is not possible to
26 provide a *detailed* description of the core discovery. A more specific description of

27 _____
28 ¹ It is Toyota's position that the scope of core discovery may be subject to further
amendment and modification through Rule 12 motions practice.

1 core discovery at this time is further complicated by the technical nature of some of
2 the claims anticipated to be asserted in the MDL. Toyota suggests the appointment
3 of plaintiff and defense counsel with expertise in technical issues to the Core
4 Discovery Committee² to negotiate the scope of core technical issues, including but
5 not limited to the relevant time period, subject matter, and categories and
6 definitions of technical documents. Such appointments will ensure that neither the
7 Court's nor the Parties' time, resources, and energy are spent seeking technical
8 discovery that is unrelated to the claims at issue in the litigation. Moreover,
9 targeted and focused discovery may facilitate a more expeditious, cost-effective and
10 efficient discovery process overall.

11 The Court's initial Order describes core discovery as "discovery of the
12 development, marketing, sales, manufacture, and administration of the Toyota
13 products and product programs at issue in this case" and notes "each personal injury
14 action will undoubtedly entail discovery unique to that action[.]" Document 3
15 (Initial Order No. 1), at 2:18-20-21. Defendants agree with that basic description
16 and identify below broad categories of core discovery, which the Core Discovery
17 Committee may further refine.

18 **a. Defendants' Proposed Core Discovery From Toyota**

19 The Core Discovery to be sought from Toyota will involve written
20 discovery and depositions and can be categorized based upon the various defect
21 theories asserted. There are also certain additional general categories of Core
22 Discovery that Defendants expect will be relevant to many complaints and claims.
23 Specifically, Defendants expect that Core Discovery from Toyota will include the
24 following categories of documents and information:

25 **(i) Floor Mat**

- 26 • Design, testing, and development documents related to the recalled

27 ² It is not Toyota's suggestion that the Core Discovery Committee consists
28 exclusively of counsel with technical expertise, as there are other areas of
experience and expertise that will contribute to the success of that Committee.

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floor mats.

- Documents concerning the Floor Mat Recall, including the decision to implement the recall, the process for implementing the recall, and communications with government agencies concerning the recall.
- Documents and information concerning the Floor Mat Recall remedy.

(ii) Pedal

- Design, testing, and development documents related to the recalled pedals.
- Documents concerning the Pedal Recall, including the decision to implement the recall, the process for implementing the recall, and communications with government agencies concerning the recall.
- Documents and information concerning the Pedal Recall remedy.

(iii) ETCS

- Design, testing, and development documents related to Toyota’s Electronic Throttle Control System (“ETCS”)
- Design, testing, and development documents concerning ETCS failsafe devices.
- Communications with government agencies concerning ETCS.

(iv) General

- Instructions/owner manuals.
- Documents evidencing or pertaining to warranties.
- Documents evidencing or pertaining to any advertising or marketing campaigns or press releases undertaken by Toyota in the United States referencing sudden unintended acceleration, the ETCS system or the safety of Toyota vehicles.
- Customer and dealer communications concerning the Floor Mat or Pedal Recalls and sudden unintended acceleration.
- Customer and dealer communications concerning Technical Service

- 1 Bulletins for vehicles belonging to plaintiffs or class members.
- 2 • Customer Reports, Customer Complaints, Lawsuits, and Claims
- 3 alleging sudden unintended acceleration.
- 4 • Toyota organizational charts and financial information.

5 **b. Defendants' Proposed Core Discovery From Plaintiffs**
6 **In Personal Injury/Wrongful Death Cases**

7 Defendants anticipate that certain categories of documents and
8 information will be sought from all plaintiffs in Individual Personal
9 Injury/Wrongful Death cases and thus should be considered "Core Discovery."

10 These categories include:

- 11 • Documents and information concerning general background
12 information regarding individual plaintiffs, including, but not limited
13 to:
- 14 ○ Identifying information
- 15 ○ Education history
- 16 ○ Employment history
- 17 ○ Criminal history
- 18 ○ Driving history
- 19 ○ Litigation history
- 20 • Documents and information concerning Toyota vehicles belonging to
21 individual plaintiffs, including, but not limited to:
- 22 ○ Year, make, model, and VIN
- 23 ○ Location of the vehicle
- 24 ○ Ownership history
- 25 ○ Service and maintenance history
- 26 ○ Prior accidents
- 27 ○ Aftermarket modifications or alterations
- 28 • Documents and information concerning alleged unintended

1 acceleration events, including, but not limited to:

- 2 ○ Date(s) of alleged unintended acceleration events
- 3 ○ Identifying information regarding all persons in the vehicle at
- 4 the time of the incident, first responders, and eye witnesses
- 5 ○ Accident and/or investigative reports
- 6 ○ Inspection of vehicle
- 7 ● Documents and information concerning alleged injuries and damages,
- 8 including, but not limited to, documents and information reflecting:
- 9 ○ Lost earnings and lost earning capacity
- 10 ○ Liens
- 11 ○ Medical records and medical bills and expenses
- 12 ○ Costs of any repairs or alternative transportation

13 c. **Defendants' Proposed Core Discovery From Plaintiffs**
14 **In Economic Loss Cases**

15 Defendants also expect that certain categories of documents and
16 information will be sought from nearly all individual plaintiffs and class
17 representatives in the Economic Loss cases and thus should be considered "Core
18 Discovery." These categories include:

- 19 ● Documents and information concerning general background
20 information regarding plaintiffs/class representatives, including, but
21 not limited to:
 - 22 ○ Identifying information
 - 23 ○ Education history
 - 24 ○ Employment history
 - 25 ○ Criminal history
 - 26 ○ Driving history
 - 27 ○ Litigation history
- 28 ● Documents and information concerning Toyota vehicles belonging to

- 1 plaintiffs/class representatives, including, but not limited to:
- 2 ○ Year, make, model, and VIN
- 3 ○ Location of the vehicle
- 4 ○ Ownership history
- 5 ○ Service and maintenance history
- 6 ○ Prior accidents
- 7 ○ Aftermarket modifications or alterations
- 8 ● Documents and information concerning alleged unintended
- 9 acceleration events, including, but not limited to:
- 10 ○ Date(s) of alleged unintended acceleration events
- 11 ○ Identifying information regarding all persons in the vehicle at
- 12 the time of the incident, first responders, and eye witnesses
- 13 ○ Accident and/or investigative reports
- 14 ○ Inspection of vehicle
- 15 ● Documents and information concerning alleged damages, including,
- 16 but not limited to, documents and information reflecting:
- 17 ○ The price paid for the vehicle, lease payments made, or other
- 18 financing
- 19 ○ Efforts to sell the vehicle, including advertising and trade-in
- 20 efforts, offers made or accepted, and trade-in values obtained or
- 21 quoted
- 22 ○ Costs of any repairs
- 23 ○ Costs of alternative transportation
- 24 ○ Diminution in value of the vehicle
- 25 ○ Value of any alleged loss of use of the vehicle and/or loss of use
- 26 of any component(s), including floor mats
- 27 ○ Evidence concerning plaintiffs' use of the vehicles after the
- 28 recalls

- 1 • Documents and information concerning the sale and purchase history
2 and practices of any dealer plaintiffs and the rental history and
3 practices of any rental car company plaintiff
- 4 • Documents and information reflecting the alleged lost profits of any
5 dealer or rental car company plaintiff
- 6 • Documents and information concerning plaintiffs' lease and/or finance
7 contracts with Toyota Motor Credit Corporation ("TMCC"), for those
8 cases seeking to impose liability on TMCC or other Toyota Financial
9 Services entities.
- 10 • For each car rental plaintiff, the complete rental history and rental unit
11 file for each Toyota vehicle at issue including but not limited to:
 - 12 ○ The VIN number of each vehicle at issue
 - 13 ○ Records of each rental transaction for each vehicle at issue from
14 the day of acquisition through the response
 - 15 ○ Records indicating all rental revenue for each vehicle at issue
 - 16 ○ Records indicating the utilization rate of the vehicles at issue
 - 17 ○ Records substantiating lost income or damages related to the
18 Toyota recalls
 - 19 ○ Records substantiating the number of claimed down days for
20 each claimed recall vehicle
 - 21 ○ Service records for each at issue vehicle
- 22 • For each car dealer plaintiff, the complete dealer file on each Toyota
23 vehicle at issue and for all Toyota vehicles sold by the dealer from
24 January 1, 2009 to January 27, 2010, including but not limited to:
 - 25 ○ The VIN number of each vehicle
 - 26 ○ The purchase, service and sales documents for each vehicle
 - 27 ○ Service records for each vehicle
- 28

1 **d. Defendants’ Proposed Core Discovery From Third**
2 **Parties**

3 Finally, Defendants also expect that certain categories of documents
4 and information will be sought from third parties in many of these cases and
5 therefore would constitute “Core Discovery.” These documents include:

- 6 • Documents reflecting ownership of the vehicle, including title and
7 lease documents
8 • Documents reflecting any maintenance, repairs, or alterations to the
9 vehicle
10 • Documents reflecting financing of the vehicle
11 • Documents concerning certain vehicle components

12 **3. Plaintiffs’ Statement Concerning the Parties’ Preservation**
13 **Obligations**

14 Paragraph 5.2 of *Order No. 1* directs the preservation of all evidence
15 that may be relevant to these actions. A detailed preservation order remains to be
16 negotiated by the parties and entered by the Court. Such an order must impose
17 obligations appropriate and reasonable under the circumstances of this case,
18 guarding against the destruction or alteration of any evidence that is essential to
19 reveal the truth in this case. Without imputing fault or intent, Plaintiffs are
20 concerned, for example, that vehicles tendered to Toyota may be, or may have
21 already been, subject to destructive testing or alteration of evidence. For example,
22 several Plaintiffs’ counsel have raised the concern that Toyota’s investigators
23 and/or engineers in the field could potentially be altering data stored in vehicles’
24 Event Data Recorders (‘Black Boxes’). Any preservation order should address
25 these issues.

26 **4. Defendants’ Statement Concerning Plaintiffs’ Preservation**
27 **Obligations.**

28 Pursuant to Section 5.2 of Order No. 1, all parties and their counsel

1 must preserve evidence that may be relevant to the matters within the MDL.
2 Plaintiffs' suggestion that Toyota has conducted destructive testing on vehicles
3 tendered to it or otherwise destroyed evidence is unfounded and does not alter
4 Plaintiffs' obligation to preserve their vehicles. Accordingly, Toyota offers
5 preliminary guidance on the preservation obligations of class representatives and
6 named plaintiffs who allege accidents or UA events and their counsel:

- 7 1. All vehicles involved in an accident must be
8 maintained in their accident condition.
- 9 2. Plaintiffs should record the actual mileage of the
10 vehicle when the event occurred (or the best
11 approximation) and the location of the event.

12 Defendant contends that Plaintiffs should make vehicles immediately available to
13 Toyota for an inspection so that the ECU, accelerator pedal and throttle can be
14 obtained. Those components will be preserved for all parties at a mutually
15 agreeable location and Toyota will install new components on the vehicle.

16 **5. Defendants' Request For Coordination With State Court**
17 **Proceedings.**

18 In the Transfer Order creating this MDL, the Judicial Panel on
19 Multidistrict Litigation explained that "centralization under Section 1407 will
20 eliminate duplicative discovery; prevent inconsistent pretrial rulings . . . ; and
21 conserve the resources of the parties, their counsel, and the judiciary." MDL No.
22 2151 Transfer Order (April 9, 2010) at 2. Defendants believe that these goals will
23 be frustrated if the numerous state court cases pending around the country³ proceed
24 without coordination with this federal litigation. As the Manual for Complex
25 Litigation explains, coordination of federal and state proceedings can "reduce costs,
26 delays, and duplication of effort that often stem from such dispersed litigation."
27 Manual for Complex Litigation (Fourth), § 20.31.

28 ³ There are approximately 99 cases currently pending in state courts in 22 states.

1 Accordingly, Defendants request that this Court reach out to the
2 various state court judges handling related cases in order to coordinate discovery
3 and dispositive motion briefing schedules. In addition, Defendants believe it would
4 be helpful to establish State Coordination Liaison Counsel to act as liaisons
5 between counsel representing parties in state court actions and counsel for plaintiffs
6 in this federal litigation.

7 **C. Brief Statement Of Facts And Legal Issues**

8 **1. Factual Background**

9 Pursuant to the April 9, 2010 Transfer Order of the Judicial Panel on
10 Multidistrict Litigation, class and individual economic damage claims and personal
11 injury/wrongful death actions were consolidated for purposes of pre-trial
12 proceedings pursuant to 28 U.S.C. § 1407. Approximately 330 cases are pending in
13 the federal and state courts at the present time. All of the cases in this litigation
14 relate to alleged unintended acceleration in Toyota vehicles. A relatively small
15 number of the cases also allege mechanical issues with brakes, transmissions, fuel
16 bladders, or other mechanical defects that are not alleged to cause unintended
17 acceleration incidents. To the extent that such cases concern alleged defects that
18 are unrelated to unintended acceleration, the undersigned counsel believe that they
19 should be transferred to a separate proceeding.⁴

20 At this time, no final determination has been made regarding the filing
21 of consolidated, master, or “exemplar” complaints. However, the various class
22 action claims, as described below, to the extent plaintiffs determine to proceed with
23 them, are all susceptible to inclusion and integration in a consolidated amended
24 class action complaint, as this Court contemplated in paragraph 2.1 of *Order No. 1*,
25 and this can be accomplished by the Co-Lead Counsel for the Economic Loss

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27 ⁴ On April 14, 2010, a motion for coordination and consolidation pursuant to 28
28 U.S.C. § 1407 was filed with the JPML seeking transfer of cases containing
allegations of mechanical issues with anti-lock braking systems of certain Prius and
Lexus models to the Central District of California. See MDL Docket No. 2172.

1 Cases.

2 The cases stem primarily from two Toyota recalls and automobile
3 accidents in which plaintiffs claim the accident was the result of an alleged defect
4 in the Toyota vehicle causing unintended acceleration. The first recall, initiated on
5 November 2, 2009, addressed the potential risk of floor mat entrapment of
6 accelerator pedals in certain Toyota and Lexus models (the “Floor Mat Recall”).
7 The second recall, initiated on January 21, 2010, addressed the possibility that
8 certain accelerator pedal mechanisms in certain Toyota and Lexus models may
9 return slowly to the idle position or mechanically stick in a partially depressed
10 position (the “Pedal Recall”).

11 **a. The Floor Mat Recalls**

12 On September 29, 2009, NHTSA announced Toyota’s intention to
13 recall approximately 3.8 million vehicles equipped with floor mats. On October 5,
14 2009, Toyota filed a Part 573 report with NHTSA confirming its decision to
15 conduct a recall with a vehicle-based remedy on certain models to address risk of
16 accelerator pedal entrapment by all-weather floor mats. Toyota initiated the recall
17 on November 2, 2009, and the recall was expanded on November 25, 2009 and
18 again on January 17, 2010. A total of 5,353,319 vehicles are subject to the floor
19 mat recall. The Toyota and Lexus vehicles subject to the recall include: 2007 -
20 2010 Camry; 2005 - 2010 Avalon; 2004 - 2009 Prius; 2005 - 2010 Tacoma; 2007 -
21 2010 Tundra; 2008 - 2010 Highlander; 2009 - 2010 Corolla; 2009 - 2010 Venza;
22 2009 - 2010 Matrix; 2006-2010 Lexus IS 250; 2006-2010 Lexus IS 350; 2007-2010
23 Lexus ES 350.

24 Toyota’s Part 573 Report with NHTSA sets forth the vehicle-based
25 recall remedy: providing the owners of some vehicle models with newly-designed
26 replacement driver- and front passenger-side all-weather floor mats and for some
27 vehicle models, reconfiguring the shape of the accelerator pedal and/or the shape of
28 the floor surface underneath the floor mat to increase the space between the

1 accelerator pedal and the floor mat.

2 Personal injury/wrongful death claims and class actions have been
3 filed alleging injury and damages caused by floor mats subject to the recall.

4 **b. The Pedal Recall**

5 On January 21, 2010, Toyota recalled 2.3 million vehicles to address
6 the possibility that certain accelerator pedal mechanisms may return slowly to the
7 idle position or mechanically stick in a partially depressed position. The vehicles
8 subject to the pedal recall include: certain 2009-2010 RAV4s, certain 2009-2010
9 Corollas, the 2009-2010 Matrix, 2005-2010 Avalon, certain 2007-2010 Camrys,
10 certain Highlanders, the 2007-2010 Tundra, and the 2008-2010 Sequoia. A total of
11 2,301,437 vehicles are subject to the pedal recall. On February 1, 2010, Toyota
12 announced its vehicle-based remedy: installation of a precision-cut steel
13 reinforcement bar into the accelerator pedal assembly to eliminate the excess
14 friction that may cause pedals to stick.

15 Personal injury/wrongful death claims and class actions have been
16 filed alleging injury and damages caused by accelerator pedals subject to the recall.

17 To date, Toyota has recalled approximately 7.7 million vehicles in
18 connection with the floor mat and pedal recalls in the United States.

19 **c. Electronic Throttle Control**

20 In addition to the Toyota and Lexus vehicles involved in recalls related
21 to floor mats and/or accelerator pedals, many of the cases in the MDL also allege
22 that Toyota's Electronic Throttle Control System ("ETCS") is defective and causes
23 unintended acceleration. Toyota has not initiated any recalls concerning the ETCS,
24 and Toyota denies that its ETCS is defective or could cause unintended
25 acceleration.

26 **2. Case Types**

27 Both class actions and individual cases have been brought against
28 Toyota. These cases can be further categorized based on the types of legal and

1 factual allegations contained therein. Although there is overlap between these
2 categories, they nonetheless provide a useful framework for understanding the
3 general types of allegations being made in these cases and the types of discovery
4 that will be at issue.

5 **a. Economic Loss Consumer Class Actions**

6 The economic loss consumer class actions are cases brought by
7 consumers in which only economic injury is alleged. These plaintiffs generally
8 allege that, because of the Floor Mat and Pedal Recalls or the stigma associated
9 with Toyota vehicles, they have incurred an economic loss of value or been forced
10 to sell their vehicles at a decreased price. In addition to economic loss consumer
11 class actions, there are also some cases in which the putative class includes persons
12 who have sustained personal injuries as a result of unintended acceleration. There
13 are also non-consumer economic loss class actions brought by rental car companies
14 and used case dealerships. These cases generally allege that, because of the Floor
15 Mat and Pedal Recalls and/or the stigma associated with Toyota vehicles, used car
16 dealerships and rental car companies have been unable to rent or sell Toyota
17 vehicles and/or have been forced to rent or sell Toyota vehicles at a decreased cost.
18 The economic loss class action cases can be broken down as follows:

19 **(i) Floor Mat Recall**

20 In the Floor Mat Recall class actions, plaintiffs generally allege that
21 their vehicles or the floor mats in their vehicles are defective. Plaintiffs in these
22 cases are seeking damages for diminution in value of their vehicles and other
23 remedies.

24 **(ii) Pedal Recall**

25 Similar to the Floor Mat Recall class actions, plaintiffs in the Pedal
26 Recall class actions generally allege that their vehicles are defective. Plaintiffs in
27 these cases are generally seeking damages for diminution in value of their vehicles
28 and other remedies.

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(iii) ETCS

The plaintiffs in ETCS class actions generally allege that the Floor Mat and Pedal Recalls will not cure the problem of unintended acceleration, because it is the ETCS that is defective and primarily responsible for the alleged episodes of unintended acceleration.

b. Individual Cases

(i) Individual Personal Injury/Wrongful Death Cases

These cases typically allege that the plaintiff or plaintiff's decedent sustained injuries as a result of an unintended acceleration event. As with the class actions, these cases can be subdivided by the particular defect theory alleged: floor mat, accelerator pedal, or ETCS.

(ii) Individual Economic Injury Cases

There are also a small number of individual cases in which the plaintiffs claim only economic injuries. These cases generally include claims very similar to the economic loss consumer class actions discussed above, and may also include violations of state lemon laws.

3. Legal Issues

a. Claims Asserted

The following claims have been brought by plaintiffs in various cases:

- Breach of Lease/Contract/Implied Contract
- Breach of Warranty
 - Breach of Express Warranty
 - Breach of the Implied Warranty of Merchantability
 - Breach of Implied Warranty of Fitness for a Particular Purpose
 - Breach of the Covenant of Good Faith and Fair Dealing
- Redhibition
- Misrepresentation/Fraud

- 1 ○ Fraudulent Concealment
- 2 ○ Fraudulent Inducement
- 3 ○ Fraud by Omission
- 4 ○ Fraudulent Certification
- 5 ● Negligence
- 6 ● Strict Liability
- 7 ● Wrongful Death and Survivorship/Loss of Consortium
- 8 ● UCC-based claims
- 9 ● Equitable Relief
- 10 ○ Unjust Enrichment
- 11 ○ Injunctive Relief
- 12 ○ Restitution/Disgorgement
- 13 ○ Rescission
- 14 ○ Revocation of Acceptance
- 15 ● Violation of various state statutes:
- 16 ○ Fraudulent or Unlawful Business Acts and Practices Laws
- 17 ○ Consumer Protection Laws
- 18 ○ Unfair and Deceptive Trade Practice Acts
- 19 ○ Consumer Fraud Acts
- 20 ○ False Advertising Laws
- 21 ○ Racketeer Influenced and Corrupt Organization Acts
- 22 ● Violation of Federal laws:
- 23 ○ Consumer Protection Laws
- 24 ○ Magnuson-Moss Warranty Act
- 25 ○ Lanham Act
- 26 ○ Racketeer Influenced and Corrupt Organization Act
- 27 It is anticipated that plaintiffs' counsel appointed by the Court will
- 28 determine which of these claims should be asserted in this MDL proceeding.

1 **b. Potentially Dispositive Issues**

2 **(i) Plaintiffs' Section**

3 Plaintiffs do not foresee any potentially dispositive motions. Defendants
4 have outlined below (*see infra* 3.b.ii.a. & 3.c.) several points, including their
5 anticipated dispositive motions, that warrant brief replies. First, Plaintiffs believe
6 that, for purposes of this Report, elaborate detail and argument about Defendants'
7 anticipated dispositive motions is inappropriate; Plaintiffs have thus elected not to
8 respond in kind to Defendants' previews of their class certification arguments and
9 their "Additional Legal Issues" contentions. Plaintiffs reserve their rights to fully
10 contest these arguments at the appropriate time, after discovery has commenced and
11 such issues can be informed by factual development; after Plaintiffs determine on
12 which claims and theories to proceed, e.g., via a consolidated amended class action
13 complaint. Plaintiffs believe that, since complaints will be amended or
14 consolidated, responding now to the host of anticipated motions outlined by
15 Defendants (which correspond to defenses and affirmative defenses that defendants
16 have yet to allege in response to an operative pleading) is premature and
17 nonproductive. While Plaintiffs will respond to such arguments at the appropriate
18 time, they do not believe any such "dispositive" motions would be meritorious.
19 Finally, Plaintiffs agree that a tutorial could be helpful to the Court but believe
20 Defendants' proposed tutorial is too narrow, should await a consolidated complaint
21 and the emergence of a sufficient body of fact via core discovery, and that the scope
22 of any tutorial should be decided only after such basic discovery has occurred.

23 **(ii) Defendants' Section**

24 Pursuant to Paragraph 4.3 of *Order No. 1*, this section sets forth
25 Defense Counsel's understanding of certain "critical legal issues [and] potentially
26 dispositive issues." Defendants anticipate asserting a number of legal and factual
27 defenses to Plaintiffs' claims, some of which Defendants contend may be
28 dispositive of certain cases or claims. Some of these defenses are summarized

1 below. This is not an exhaustive list and should not be viewed as a waiver of any
2 other available defenses.

3 **(a) No Defect In The ETCS**

4 Defendants contend that Plaintiffs bear the burden of proving that a
5 defect with the ETCS exists and that Plaintiffs have provided little more than
6 conclusory and unsubstantiated allegations that Toyota's ETCS is defective.
7 Despite claims by plaintiffs to the contrary, Toyota is not aware of any reliable
8 evidence that Toyota's ETCS can cause or contribute to unintended acceleration.
9 Because a number of cases and claims rest entirely on allegations that Toyota's
10 ETCS is defective, the scope of this litigation will be narrowed significantly if this
11 issue is prioritized. Deciding this issue will also narrow the class definitions and
12 eliminate the need for certain discovery. Because this will be a critical issue in this
13 litigation, Toyota believes that a tutorial for the Court on the technical aspects of
14 ETCS would assist the Court in deciding the proper scope and scheduling of
15 discovery.

16 **(b) Class Certification Is Improper**

17 Toyota plans to challenge class certification on a number of grounds,
18 some of which are discussed below. As with ETCS, a decision on the issue of class
19 certification issue will advance this litigation significantly. As a result, Toyota
20 believes that it is appropriate to bifurcate class and merits discovery in order to
21 move more quickly toward class certification briefing and to avoid wasting time
22 and effort on merits discovery that may ultimately be unnecessary.

23 **(1) No Manifestation Of Defect/Lack Of**
24 **Standing**

25 Defendants contend that class certification is improper in a products
26 liability case where the majority of the class members did not experience a
27 manifestation of the alleged defect. Defendants contend that individuals who have
28 not experienced a malfunction lack standing to pursue claims against Toyota

1 because they have suffered no injury. Defendants contend that such individuals
2 cannot represent a class of vehicle owners and should not be included in any
3 putative class.

4 **(2) Impropriety Of Nationwide Class⁵**

5 Defendants contend that certification of a nationwide class would be
6 improper because of the differences in the state laws that would apply to putative
7 class members' claims.

8 **(3) Predominance Of Individualized**
9 **Issues**

10 Defendants contend that the individual issues that will have to be
11 resolved in this litigation to determine whether each putative class member properly
12 belongs in any of the classes far outweigh any common issues. Defendants contend
13 that some of the questions that will necessarily have to be answered for each
14 putative class member include: (i) whether the value of a putative class member's
15 vehicle was affected by the recalls; (ii) whether the putative class member
16 experienced any unintended acceleration events; (iii) the extent to which factors
17 such as vehicle age, mileage, vehicle condition, collision history, and the
18 maintenance provided by the putative class member affected the market value of
19 the putative class; (iv) the effect the various recall remedies had on the market
20 value of the putative class member's vehicle; (v) whether putative class members
21 actually realized any diminution in value; and (vi) whether the putative class
22 member received warnings or instructions regarding the pedal response or floor mat
23 issues.

24 **(4) Manageability Problems**

25 Defendants contend that the myriad individual issues present in this
26 litigation creates significant manageability problems and renders the class action

27 ⁵ Additionally, at least one case purports to bring claims against Toyota on behalf of
28 a worldwide class. Defendants contend that such a class is improper for similar reasons.

1 mechanism an inferior method for fairly and efficiently adjudicating the claims in
2 this litigation.

3 **(5) No Common Proof Of Liability Or**
4 **Damages**

5 Defendants contend that plaintiffs will not be able to prove liability or
6 damages through the use of common proof to the class as a whole. Defendants
7 contend that no single method can accurately calculate the alleged diminution in
8 value of every class members' vehicle. Defendants contend that class members will
9 also have to present individual evidence on a case-by-case basis to prove that their
10 particular vehicles suffered a diminution in value caused by actionable conduct on
11 the part of Toyota.

12 **(c) Defendants' Proposed Additional Legal**
13 **Issues**

14 Toyota also plans to raise numerous legal defenses via motion(s) to
15 dismiss. Other legal defenses are likely to be raised via summary judgment. These
16 legal defenses will include:

17 **(1) Preemption And Primary**
18 **Jurisdiction**

19 Defendants contend that many of the complaints, in particular the
20 ETCS Economic Consumer Class Actions, seek what essentially amounts to court-
21 ordered recalls. Defendants contend that such relief is preempted by the National
22 Traffic and Motor Vehicle Safety Act and/or under the doctrine of Primary
23 Jurisdiction.

24 **(2) Standing Issues/No Injury-In-Fact**

25 Defendants contend that many of the claims raised in the Economic
26 Consumer Class Actions are barred under various standing doctrines due to a lack
27 of any injury-in-fact and the remedial effect of the recall.
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(3) Economic Loss Rule

Defendants contend that plaintiffs' tort claims in the Economic Consumer Class Actions and the Individual Economic Injury Cases are barred by the economic loss rule.

(4) Defenses To Warranty Claims

Defendants contend that plaintiffs' warranty claims in the Class Actions and Individual Economic Injury Cases fail for a number of additional reasons. Defendants contend that they are barred due to lack of privity. Defendants contend that Toyota has complied with the express terms of the warranty, and the warranty disclaims the existence of any other remedies. Defendants contend that plaintiffs have failed to comply with the terms of the express warranty. Defendants contend that claims for breach of warranty of fitness for a particular purpose must fail because transportation is the regular and ordinary use of vehicles.

(5) Consumer Protection Statutes

Defendants contend that various defenses exist to bar alleged violations of consumer protection statutes and depend upon particular state law.

(6) Existence Of Express Contract

Defendants contend that the existence of an express contract bars claims for unjust enrichment.

(7) Statute Of Limitations

Defendants contend that delays in bringing suit may bar certain claims in the Individual Personal Injury/Wrongful Death cases.

(d) Improperly Named Defendants

Defendants contend that certain Defendants have been improperly named in some of the actions to this litigation and claims against such defendants may be subject to dismissal either on the pleadings or at the summary judgment stage. For example, CTS Corporation has been named as a defendant in certain Individual Personal Injury/Wrongful Death cases despite the fact that Defendants

1 contend that CTS Corporation did not manufacture the pedal mechanism at issue.
 2 Similarly, several of the complaints purport to allege claims against Toyota Motor
 3 Credit Corporation and other Toyota financial entities that provide retail financing,
 4 lease, and other financial services to Toyota dealerships and their customers.
 5 Defendants contend that such financial entities are not liable for product-related
 6 claims, and the relevant lease and finance contracts expressly require continued
 7 payments notwithstanding any product-related dispute. Defendants anticipate filing
 8 motions to dismiss and/or motions for summary judgment on these issues.

9 **D. Related Cases, Pending Motions And Outstanding Discovery**

10 **1. Pending Motions**

11 With respect to the cases listed on Exhibit A to the Court's *Order*
 12 *No. 1*,⁶ the Defendants are aware of the following pending motions:

Case Name	District	Case No.	Pending Motions
14 Choi, et al. v. 15 Toyota 16 Motor Corp., 17 et al.	C.D. Cal.	2:09-cv- 08143	<ul style="list-style-type: none"> • Plaintiffs' Motion for Preliminary Injunction • Plaintiffs' Motion for Class Certification • Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint • Defendants' Motion to Strike Class Allegations from First Amended Complaint
21 Kmetz, et al. 22 v. 23 Toyota 24 Motor Sales, U.S.A., Inc., et al.	C.D. Cal	2:09-cv- 08478	<ul style="list-style-type: none"> • Defendants' Motion to Dismiss First Amended Complaint • Defendants' Motion to Strike Class Allegations from First Amended Complaint

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 28 ⁶ For a full list of pending motions, the parties refer the Court to the attached case status charts.

Case Name	District	Case No.	Pending Motions
Lane v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:09-cv- 09158	<ul style="list-style-type: none"> Defendants' Motion to Dismiss Plaintiff's Complaint Defendants' Motion to Strike Allegations from Plaintiff's Complaint
Baldisseri v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:09-cv- 09386	<ul style="list-style-type: none"> Defendants' Motion to Dismiss First Amended Complaint Defendants' Motion to Strike Allegations from First Amended Complaint
Beard, et al. v. Toyota Motor Corp. et al.	C.D. Cal.	8:10-cv- 00183	<ul style="list-style-type: none"> Plaintiff's Motion for Class Certification
Graves, et al. v. Toyota Motor Mfg, West Virginia, Inc., et al.	S.D.W. Va.	2:09-cv- 01247	<ul style="list-style-type: none"> Defendants' Motion to Dismiss

Because Defendants anticipate that amended, consolidated, and/or exemplar complaints may be filed for the Class Actions and possibly for certain individual cases, Defendants recommend that the Court reserve ruling on all currently pending motions so that motions practice can be handled in a coordinated fashion. Defendants suggest that the Parties further stipulate and agree that the deadlines for responding to any complaint is held in abeyance until the Court and the Parties have established a case management structure and schedule.

2. Outstanding Discovery

With respect to the cases listed on Exhibit A to the Court's *Order*

1 No. 1,⁷ Defendants are aware of the following outstanding discovery:

Case Name	District	Case No.	Pending Discovery
2 Weimer, et 3 al. 4 v. 5 Toyota 6 Motor North 7 America, 8 Inc., et al.	E.D. La.	2:10-cv- 00219	<ul style="list-style-type: none"> • Plaintiffs' First Set of Interrogatories⁸ • Plaintiffs' First Set of Request for Production
9 Maillho 10 v. 11 Toyota 12 Motor North 13 America, 14 Inc., et al.	E.D. La.	2:10-cv- 00279	<ul style="list-style-type: none"> • Plaintiffs' First Set of Interrogatories • Plaintiffs' First Set of Request for Production

15 The Parties agree that Core Discovery should be conducted in a
16 coordinated and consolidated basis so as to avoid duplicative requests and to reduce
17 the cost, time, and burden of completing discovery. Therefore, upon creation of the
18 Core Discovery Committee, the Parties plan to confer on these issues and to
19 discuss, among other things, the preparation of a detailed discovery plan that will
20 set forth the sequencing of discovery and the possibility of using Master Discovery
21 Requests to address the Core Discovery that is generally applicable to all cases and
22 the possibility of using Fact Sheets to address case-specific discovery.

23 Accordingly, Defendants recommend that all currently outstanding
24 discovery requests related to Core Discovery issues be withdrawn, so that such
25 general requests can be propounded and responded to in a uniform and non-
26 duplicative manner. With respect to outstanding case-specific discovery in the
27 Individual Personal Injury/Wrongful Death Cases, Defendants recommend that
28 discovery be held in abeyance until the Court and the Parties have established a
case management structure and schedule.

⁷ For a full list of outstanding discovery, the parties refer the Court to the attached case status charts.

⁸ Toyota contends the discovery in these two cases was improperly served.

1 **3. Related Cases**

2 Attached as *Exhibit A* is a table that lists all related federal cases of
3 which the parties are currently aware and the status of each case.

4 Attached as *Exhibit B* is a table that lists all state court cases that the
5 parties currently believe to be related to this litigation.

6 Attached as *Exhibit C* is a table of cases naming Toyota, but which do
7 not appear to involve unintended acceleration. These include cases alleging
8 mechanical issues with brakes, transmissions, fuel bladders, or other mechanical
9 defects, as well as securities class actions. Although not specifically requested in
10 *Order No. 1*, the parties are providing this list for the convenience of the Court. As
11 many of these cases are only in their beginning stages, the parties reserve the right
12 to move for coordination of these cases with this litigation pursuant to local rules,
13 28 U.S.C. § 1407, or otherwise, should it later be determined that coordination
14 would be appropriate.

15 **E. Parents, Subsidiaries And Companies Affiliated With The**
16 **Corporate Parties**

17 **1. Corporate Plaintiffs**

18 The list below includes the four corporate plaintiffs who appear on the
19 list of related cases attached as Exhibit A:

20 Green Spot Motors

21 Jerry Baker Auto Sales

22 SPP, Inc.

23 Deluxe Holdings, Inc.

24 **2. Corporate Defendants**

25 In order to assist the Court with questions of recusal or
26 disqualification, below is a preliminary list of parents, subsidiaries, and companies
27 affiliated with the corporate defendants. Interim Counsel for defendants has
28 endeavored to make this list as complete as possible, however, given the number of

1 corporate defendants involved, and the fact that a number of corporate defendants
2 are separately represented, defense counsel may need to supplement this list with
3 additional affiliated companies. In addition, the list of companies affiliated with the
4 corporate defendants may change with the pleading of a master complaint, as
5 improperly named defendants are dismissed from the litigation, or as corporate
6 structures change throughout the pendency of the litigation. Defendants reserve the
7 right to supplement this list as necessary.

8 **a. Toyota Entities**

9 The list below is a preliminary list of companies affiliated with the Toyota
10 defendants. Many of the entities below have not been named in any of the
11 constituent unintended acceleration cases, have no relationship to the issues
12 presented herein, and are therefore set forth solely to disclose affiliations to the
13 Court for recusal and disqualification purposes.

14 AirFlite, Inc.

15 Bodine Aluminum, Inc.

16 Calty Design Research, Inc.

17 Canadian Autoparts Toyota, Inc.

18 Catalytic Component Products, Inc.

19 Gulf Terminal International (Florida)

20 New United Motor Manufacturing, Inc.

21 Pacific Northwest Auto Terminals

22 Subaru of Indiana Automotive, Inc.

23 TABC, Inc.

24 TABC Holdings, Inc.

25 TAI Leasing, Inc.

26 Toyota Arizona Proving Ground

27 Toyota Canada, Inc.

28 Toyota Canada Cold Research Centre

- 1 Toyota Credit Canada, Inc.
- 2 Toyota de Puerto Rico
- 3 Toyota Financial Services Americas Corporation
- 4 Toyota Financial Services Corporation
- 5 Toyota Industrial Equipment Manufacturing, Inc.
- 6 Toyota Motor Engineering & Manufacturing North America, Inc.
- 7 Thomas & Inagiku, International, Inc.
- 8 Toyota Lease Trust
- 9 Toyota Logistics Services, Inc.
- 10 Toyota Motor North America, Inc.
- 11 Toyota Motor Corporation
- 12 Toyota Motor Credit Corporation
- 13 Toyota Motor Manufacturing, Alabama
- 14 Toyota Motor Manufacturing, Baja California
- 15 Toyota Motor Manufacturing, Canada, Inc.
- 16 Toyota Motor Manufacturing, California
- 17 Toyota Motor Manufacturing, Indiana, Inc.
- 18 Toyota Motor Manufacturing, Kentucky, Inc.
- 19 Toyota Motor Manufacturing, Mississippi, Inc.
- 20 Toyota Motor Manufacturing, Northern Kentucky, Inc. (TEMA)
- 21 Toyota Motor Manufacturing, Texas, Inc.
- 22 Toyota Motor Manufacturing, West Virginia, Inc.
- 23 Toyota Motor Personnel Services
- 24 Toyota Motor Sales de Mexico, S. de R.L. de C.V.
- 25 Toyota Motor Sales, U.S.A., Inc.
- 26 Toyota Racing Development, U.S.A. Inc.
- 27 Toyota Technical Center
- 28 TMS Mexico Investment, Inc.

1 TMSM Servicios de Mexico, S.A. de C.V.
2 TRD U.S.A., Inc.
3 Toyota Supplier Support Center, Inc.
4 Transpac Terminal Services

5 **b. Non-Toyota Entities**

6 The lists below include corporate entities that are related to non-Toyota
7 defendants. Many of the entities below have not been named in any of the
8 constituent unintended acceleration cases and have no relationship to the issues
9 presented herein and are therefore set forth solely to disclose affiliations to the
10 Court.

11 **(i) CTS Entities**

12 CTS (Tianjin) Electronics Company Ltd.
13 CTS (Zhongshan) Technology Co. Ltd.
14 CTS Components Taiwan, Ltd.
15 CTS Corporation
16 CTS Corporation U.K., Ltd.
17 CTS Czech Republic S.R.O.
18 CTS Electro de Matamoros, S.A
19 CTS Electronic Components (California), Inc.
20 CTS Electronics Components, Inc.
21 CTS Electronics Corporation (Thailand), Ltd.
22 CTS Electronics Dongguan, Ltd.
23 CTS Electronics Hong Kong Ltd.
24 CTS Electronics Manufacturing Solutions (Massachusetts), Inc.
25 CTS Electronics Manufacturing Solutions (Moorpark), Inc.
26 CTS Electronics Manufacturing Solutions (Santa Clara), Inc.
27 CTS Electronics Manufacturing Solutions, Inc.
28 CTS Europe GmbH

1 CTS International B.V.
2 CTS Japan, Inc.
3 CTS of Canada Co.
4 CTS of Canada G.P., Ltd.
5 CTS of Canada Holding Company
6 CTS of Canada L.P.
7 CTS of Panama, S de R.L.
8 CTS Overseas Holdings, B.V.
9 CTS Printex, Inc.
10 CTS Singapore Pte., Ltd.
11 Dynamics Corporation of America
12 LTB Investment Corporation
13 Technetics, Inc.
14 Technologia Mexicana S.A. de C.V.
15 Tusonix, Inc.

16 (ii) **General Motors Entities**

17 General Motors Company
18 General Motors LLC
19 Motors Liquidation Company
20 Vehicle Acquisition Holdings LLC
21 NGMCO, Inc.
22 GM Components Holdings LLC
23 GM Global Steering Holdings LLC
24 OnStar

25 (iii) **Hino Motors Entities**

26 Hino Motors Manufacturing U.S.A. Inc.
27 Hino Motors Sales U.S.A. Inc.
28 Hino Motors, Ltd.

1 PCP Holdings, Inc.

2 Mitsui & Co., Ltd.

3 (iv) **Denso Entities**

4 DENSO Manufacturing Tennessee, Inc. (“DMTN”) is a wholly owned
5 subsidiary of DENSO International America, Inc.

6 DENSO International America, Inc., is a wholly owned subsidiary of
7 DENSO Corporation, whose stock is publicly traded in Japan.

8 (v) **Independently Owned Dealer Entities**

9 Beechmont Automotive Group

10 Beechmont Isuzu

11 Beechmont Toyota

12 Honda East

13 Don Joseph, Inc.

14 Joseph T of D Co.

15 Joseph Airport Scion

16 Joseph Airport Toyota

17 Kenwood Dealer Group

18 Kings Toyota

19 Harvey Automotive, Inc.

20 Harvey Lexus of Grand Rapids

21 **F. List of All Affiliated Counsel**

22 **1. Plaintiffs’ Counsel**

23 Abbey Spanier Rodd & Abrams, LLP

24 Ackermann & Tilajef PC

25 Ademi & O’Reilly, LLP

26 Adorno Yoss Alvarado & Smith

27 Aitken Aitken Cohn

28 Arbogast & Berns LLP

- 1 Bailey & Glasser, LLP
- 2 Bailey Kennedy, LLP
- 3 Bailey Perrin Bailey
- 4 Barnow and Associates, P.C.
- 5 Baron & Budd, P.C.
- 6 Barrack Rodos & Bacine
- 7 Barrett Law Office
- 8 Barrios, Kingsdorf & Casteix, LLP
- 9 Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.
- 10 Becnel Law Firm LLC
- 11 Berenbaum Weinshienk, PC
- 12 Berger & Montague, P.C.
- 13 Blood Hurst & O'Reardon, LLP
- 14 Browne Woods George, LLP
- 15 Burg Simpson Eldredge Hersh Jardine, P.C
- 16 Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C.
- 17 Jerry K. Cimmet
- 18 Climaco, Wilcox, Peca
- 19 Tarantino & Garofoli Co., LPA
- 20 The Consumer Law Group
- 21 Cooley Law Firm
- 22 Cotchett, Pitre & McCarthy
- 23 Davis Bethune & Jones, LLC
- 24 Richard A. Daynard, Esq., Ph.D.
- 25 Diversity Law Group, P.C.
- 26 Douglas & London, P.C.
- 27 Doyle Lowther LLP
- 28 Duncan Firm

- 1 Edelman, Krasin & Jaye, PLLC
- 2 Eric C. Deters & Associates, P.S.C.
- 3 Farah & Farah
- 4 Faruqi & Faruqi, LLP
- 5 Finkelstein Thompson LLP
- 6 Finkelstein & Krinsk
- 7 Foley & Mansfield, PLLP
- 8 Franklin Gray & White
- 9 Freed & Weiss, LLC
- 10 Geragos & Geragos
- 11 Gilbert, Ollanik, and Komyatte, P.C.
- 12 Girardi & Keese
- 13 Glancy, Binkow & Goldberg, LLP
- 14 Grossman and Moore, PLLC
- 15 Gustafson Gluek, PLLC
- 16 Habush Habush & Rottier, S.C.
- 17 Hagens Berman Sobol Shapiro LLP
- 18 Harke & Clasby LLP
- 19 Harrison, White, Smith & Coggins, P.C.
- 20 Edgar F. Heiskell, III
- 21 Herman, Herman, Katz & Cotlar, LLP
- 22 Hilborn & Hilborn, P.C.
- 23 Hilliard, Munoz & Guerra, LLP
- 24 Holland Groves Schneller Stolze
- 25 Horwitz, Horwitz & Paradis
- 26 Howard & Associates, P.A.
- 27 Jenkins, Mulligan & Gabriel LLP
- 28 John F. Nevares & Associates, P.S.C.

- 1 Johnson & Biscone, P.A.
- 2 Kiesel Boucher & Larson LLP
- 3 Kimmel & Silverman, P.C.
- 4 Kirtland & Packard LLP
- 5 Kreindler & Kreindler LLP
- 6 The Kuhlman Law Firm, LLC
- 7 Lambert & Nelson, PLC
- 8 Lanier Law Firm
- 9 Larry Pitt & Associates
- 10 Lavorato, House, Chilton & Lavorato
- 11 The Law Firm of Colson Hicks Eidson
- 12 Law Office of Aron D. Robinson
- 13 Law Offices of Choi & Associates
- 14 Law Offices of Christopher M. Battista
- 15 Law Offices of Daniel E. Becnel, Jr.
- 16 Law Office of Diane K. Zink
- 17 The Law Office of Edward A. Broderick
- 18 The Law Offices of James V. Bashian, PC
- 19 The Law Offices of James F. Haggerty
- 20 Law Offices of John M. Kelson
- 21 Law Office of Robert M. Becnel
- 22 Law Office of Robert M. Brill, LLC
- 23 Lewis & Babcock
- 24 Levin Simes Kaiser & Gornick LLP
- 25 Lieff Cabraser Heimann & Bernstein, LLP
- 26 Liston Lancaster, PLLC
- 27 Litigation Law Group
- 28 Lovelace Law Firm, P.A.

- 1 Lyons & Farrar, P.A.
- 2 Mauriello Law Firm, APC
- 3 McCraney Montagnet & Quin, PLLC
- 4 McCunewright LLP
- 5 Matthew B. Moreland, Attorney At Law
- 6 Morgan & Morgan, P.A.
- 7 Moskowitz, Book & Walsh, LLP
- 8 Murray & Howard, LLP
- 9 Murray & Murray Co., L.P.A.
- 10 Neblett, Beard & Arsenault
- 11 Joseph V. Neill
- 12 Panish Shea & Boyle LLP
- 13 Parker, Waichman, Alonso, LLP
- 14 Piscitelli Law Firm
- 15 Pope, McGlamry, Kilpatrick, Morrison & Norwood, LLP
- 16 Ralph K. Phalen Law PC
- 17 Rheingold, Valet, Rheingold, Shkolnik & McCartney, LLP
- 18 Robinson, Calcagnie & Robinson
- 19 Roda & Nast, PC
- 20 The Sader Law Firm
- 21 Scott Kalish Co LLC
- 22 Scott & Scott LLP
- 23 Seeger Weiss LLP
- 24 Shawn Council, LLC
- 25 Sheller, P.C.
- 26 Shublax LLC
- 27 Sill & Medley
- 28 Simmons Browder Gianaris

- 1 Simmons Law Firm, L.L.C.
- 2 Smith & Vanture, LLP
- 3 Solberg Stewart Miller & Tjon, Ltd.
- 4 Spiro Moss LLP
- 5 Stonebarger Law
- 6 Strange & Carpenter
- 7 Strauss & Troy
- 8 Sullivan, Bautista, Morgan, Allen & Chronic, LLC
- 9 Susman Godfrey LLP
- 10 Thomas J. Murray & Associates
- 11 Thrash Law Firm
- 12 Van Dyck Law Firm
- 13 Waite, Schneider, Bayless & Chesley Co., L.P.A.
- 14 Weiss & Cobb Law
- 15 Weiss & Lurie
- 16 Wexler Wallace LLP
- 17 Whatley Drake & Kallas, LLP
- 18 William Riback, LLC
- 19 Wilner Hartley & Metcalf
- 20 Woodhouse Shanahan P.A.
- 21 Wood Law Firm, P.A.
- 22 Wright & LaSalle, LLP
- 23 The Zipin Law Firm, LLC

24 **2. Defendants' Counsel**

25 Certain non-Toyota entities have not yet been served or have not yet
26 appeared. Accordingly, in addition to the counsel listed below, there could be other
27 counsel representing defendants in this litigation. As set forth above in Section
28 II.A.3, Defendants anticipate that some of the counsel listed below, which include

1 counsel of separately represented defendants, may be included in the liaison
2 counsel roles as they develop in this litigation.

3 Allen, Guthrie & Thomas, PLLC

4 Alston & Bird LLP

5 Barnes & Thornburg

6 Beatty & Myers, LLP

7 Bowman and Brooke LLP

8 Campbell Campbell Edwards & Conroy

9 Clapp, Peterson, Van Flein, Tiemessen & Thorsness, LLC

10 Crowley Fleck PLLP

11 Dinsmore & Shohl LLP

12 DLA Piper US LLP

13 Eckert Seamans Cherin & Mellott, LLC

14 Faegre & Benson LLP

15 Fiddler, Gonzalez & Rodriguez, P.S.C.

16 Flein, Tiemessen & Thorsness LLC

17 Fukunaga Matayoshi Hershey Ching & Kop LLP

18 Gibson, McAskill & Crosby, LLP

19 Greenberg Traurig, LLP

20 Hirst Applegate, LLP

21 Hornblower, Manning & Ward

22 Hawley Troxell Attorneys and Counselors

23 Huie, Fernambucq & Stewart, LLP

24 Jennings, Cook & Teague

25 King & Spalding

26 Lewis Tein PL

27 Lewis, King, Krieg & Waldrop P.C.

28 Lionel Sawyer & Collins

- 1 Martin, Bischoff, Templeton, Langslet & Hoffman LLP
- 2 Montgomery, Rennie & Jonson, LPA
- 3 McGlinchey Stafford
- 4 Nelson Mullins Riley & Scarborough LLP
- 5 O'Hagan & Spencer, LLP
- 6 Orgain Bell & Tucker, LLP
- 7 Pearce & Durick
- 8 Pietragallo Gordon Alfano Bosick & Raspanti, LLP
- 9 Rodey Law Firm
- 10 Sheppard Mullin Richter & Hampton LLP
- 11 Shook, Hardy & Bacon, LLP
- 12 Stites & Harbison PLLC
- 13 Sutton & Murphy, LLP
- 14 Swanson, Martin & Bell, LLP
- 15 The Rose Law Firm, PLLC
- 16 Turner Padget Graham and Laney
- 17 Watkins & Eager
- 18 Wright, Lindey & Jennings

19

20 Respectfully submitted,

21 Dated: April 30, 2010 By: /s/ Steve W. Berman
Steve W. Berman

22

23 Steve W. Berman
steve@hbsslaw.com

24 Robert B. Carey
rob@hbsslaw.com

25 HAGENS BERMAN SOBOL SHAPIRO LLP
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28

1 Dated: April 30, 2010

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16 *On Behalf of Plaintiffs*

17 Dated: April 30, 2010

18 By: /s/ Cari K. Dawson
Cari K. Dawson

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24 *Defendants' Counsel*

25
26
27
28

EXHIBIT A

EXHIBIT A: Related Federal Cases

No.	Case Name	District	Case No.	Current Status
1.	Choi, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	2:09- cv- 08143	<ul style="list-style-type: none"> - Several motions pending (motion for preliminary injunction, for class certification, to dismiss, and to strike class allegations). - No discovery has taken place - Stay order entered 02/25/10 - Ordered consolidated on April 9, 2010; Part of Judge Selna's Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
2.	Kmetz, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	2:09- cv- 08478	<ul style="list-style-type: none"> - Several motions pending (motion to dismiss, and to strike) - No discovery has taken place - Stay order entered 02/25/10 - Ordered consolidated on April 9, 2010; Part of Judge Selna's Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
3.	Lane, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:09- cv- 09158	<ul style="list-style-type: none"> - Several motions pending (motion to dismiss, and to strike) - No discovery has taken place - Stay order entered 02/26/10 - Ordered consolidated on April 9, 2010; Part of Judge Selna's Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
4.	Baldisseri, v. Toyota Motor Sales ,U.S.A., Inc., et al.	C.D. Cal.	2:09- cv- 09386	<ul style="list-style-type: none"> - Several motions pending (motion to dismiss, and to strike) - No discovery has taken place - Stay order entered 02/26/10 - Ordered consolidated on April 9, 2010; Part of Judge Selna's Apr-14 Order No.1 - Notice of Reassignment of case filed 04/14/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
5.	Aviles, v. Toyota Motor Corp., et al.	C.D. Cal.	2:10- cv- 00706	- No discovery has taken place - Stay order entered 2/22/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
6.	Schwartz, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 00710	- No discovery has taken place - Stay order entered 2/25/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
7.	Marr, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 00799	- No discovery has taken place - Stay order entered 3/3/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
8.	Gazaryan, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 00849	- No discovery has taken place - Stay order entered 2/22/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
9.	Wisner, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	2:10- cv- 00942	- No discovery has taken place - Stay order entered 3/17/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
10.	Byrnes, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 00947	- No discovery has taken place - Stay order entered 3/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
11.	Laudicina, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	2:10- cv- 01030	- No discovery has taken place - Stay order entered 3/15/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
12.	Talbot, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01039	- No discovery has taken place - Stay order entered 3/4/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
13.	Donoghue, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01057	- Complaint served; no responses filed. - No discovery to date.
14.	Lieberman, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	2:10-cv-01073	- No discovery has taken place - Stay order entered 3/16/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
15.	Myers, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01078	- Complaint served; no responses filed. - No discovery to date.
16.	Madden, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10-cv-01094	- No discovery has taken place - Stay order entered 3/3/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
17.	Boyask, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10-cv-01153	- No discovery has taken place - Stay order entered 3/17/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
18.	Park, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10-cv-01264	- No discovery has taken place - Notice of Reassignment of case filed 04/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
19.	Livingston, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01290	- Complaint served; no responses filed. - No discovery to date.

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
20.	Cornell, v. Toyota Motor Corp., et al.	C.D. Cal.	2:10- cv- 01349	- No discovery has taken place - Stay order entered 03/25/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
21.	Booher, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 01364	- Complaint served; no responses filed. - No discovery to date.
22.	Williams, Harry v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 01366	- Complaint served; no responses filed. - No discovery to date.
23.	Williams, Roy v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 01438	- Complaint served; no responses filed. - No discovery to date.
24.	Flury, et al., v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 01584	- Complaint served; no responses filed. - No discovery to date.
25.	Kallenbach, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 01604	- Has not been served. - No stay in place. - No discovery has taken place
26.	Warren, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 01650	- Complaint served; no responses filed. - No discovery to date.
27.	Krieger, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 01753	- Complaint served; no responses filed. - No discovery to date.
28.	Hanna, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 01756	- Complaint served; no responses filed. - No discovery to date.
29.	Christian, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10- cv- 01806	- Complaint served; no responses filed. - No discovery to date.

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
30.	Crank, et al., v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01821	- Complaint served; no responses filed. - No discovery to date.
31.	Yazitchyan, et al., v. Toyota Motor Sales, U.S.A. Inc., et al.	C.D. Cal.	2:10-cv-01822	- No discovery has taken place - Stay order entered 3/19/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10 - Removed from L.A. Super. Ct. on 3/12/10
32.	McKinney, et al., v. Toyota Motor Sales, U.S.A. Inc., et al.	C.D. Cal.	2:10-cv-01825	- No discovery has taken place - Stay order entered 3/18/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10 - Removed from L.A. Super. Ct. on 3/12/10
33.	McClesky, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	2:10-cv-01889	- No discovery has taken place - Stip to Extend Time to Answer filed on 4/19. Answer due May 20.
34.	Barlow, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01902	- Complaint served; no responses filed. - No discovery to date.
35.	Yip, v. Toyota Motor Corp., et al.	C.D. Cal.	2:10-cv-01927	- No discovery has taken place - Stay order entered 3/26/10 - Transferred to Judge Selna per Order filed 4/22/10 (related cases)
36.	Tang, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10-cv-01939	- No discovery has taken place - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
37.	Heller, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10-cv-01979	- No discovery has taken place - Stay order entered 3/30/10 - Notice of Reassignment of case filed 04/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1

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No.	Case Name	District	Case No.	Current Status
38.	Roberts, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01986	- Complaint served; no responses filed. - No discovery to date.
39.	Chang, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01993	- Complaint served; no responses filed. - No discovery to date.
40.	McCormick, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01994	- Complaint served; no responses filed. - No discovery to date.
41.	Cangelosi, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01997	- Complaint served; no responses filed. - No discovery to date.
42.	Gudmundson, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10-cv-02021	- No discovery has taken place - Stay order entered 4/2/10 - Notice of Reassignment of case filed 04/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
43.	Graham, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10-cv-02022	- No discovery has taken place - Stay order entered 4/2/10 - Notice of Reassignment of case filed 04/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
44.	Flook, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10-cv-02023	- No discovery has taken place - Notice of Reassignment of case filed 04/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
45.	Josephson, v. Toyota Motor Corp., et al.	C.D. Cal.	2:10-cv-02077	- No discovery has taken place - Stay order entered 4/2/10 - Notice of Reassignment of case filed 04/12/10 -
46.	Davis, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10-cv-02078	- No discovery has taken place - Stay order entered 4/2/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1

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No.	Case Name	District	Case No.	Current Status
47.	Van Zyl, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10- cv- 02147	- No discovery has taken place - Notice of Reassignment of case filed 04/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
48.	Shigematsu, v. Toyota Motor Corp., et al.	C.D. Cal.	2:10- cv- 02179	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
49.	Broden, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02228	- Complaint not yet served.
50.	Bickel, v. Toyota Motor Corp., et al.	C.D. Cal.	2:10- cv- 02262	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
51.	Goldberger, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02264	- No discovery has taken place - Notice of Reassignment of case filed 04/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
52.	Hotaling, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10- cv- 02271	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
53.	Troup, et al., v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10- cv- 02272	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
54.	Summerville, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10- cv- 02274	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1

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No.	Case Name	District	Case No.	Current Status
55.	Navarro, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10- cv- 02276	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
56.	Brown, Ebony v. Toyota Motor Sales, U.S.A, Inc.	C.D. Cal.	2:10- cv- 02280	- No discovery has taken place - Stay order entered 4/2/10 - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
57.	Brown, Gary v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02284	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
58.	SPP, Inc., v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10- cv- 02528	- No discovery has taken place - Transferred to Judge Selna on 4/22/10 - Stipulation to stay filed on 4/23/10. Awaiting signed order from Court
59.	Deluxe Holdings, Inc., v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	2:10- cv- 02600	- No discovery has taken place - Removed from L.A. Super. Ct. on 04/09/10 - Stay order entered 04/15/10 - Transferred 4/22/10
60.	Jermakian, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02893	- Not yet served - Currently before Judge Matz
61.	West, v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02938	- Complaint filed 4-20-10 - Transferred to Judge Selna 4-26-10
62.	Lauderdale, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02940	- Complaint filed 4/20/10 - Transferred to Judge Selna 4/26/10

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No.	Case Name	District	Case No.	Current Status
63.	Mohammad, et al. v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02942	- Complaint filed 4-20-10 - Transferred to Judge Selna 4/26/10
64.	Carmichael, v. Toyota Motor Sales, U.S.A., Inc. et al.	C.D. Cal.	2:10- cv- 02943	- Complaint filed 4-20-10 - Transferred to Judge Selna 4-26-10
65.	Rhooms, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	2:10- cv- 02944	- Complaint filed 4-20-10 - Transferred to Judge Selna 4-26-10
66.	Boppre, et al. v. Toyota Motor Corp., et al.	C.D. Cal.	2:10- cv- 03156	- Filed 4/27/10 - Not yet served
67.	Hauter, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	C.D. Cal.	8:10- cv- 00105	- No discovery has taken place - Ordered consolidated on April 9, 2010; Part of Judge Selna's Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
68.	Beard, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	8:10- cv- 00183	- Motion for Class Certification pending - No discovery has taken place - Stay order entered 3/16/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
69.	Green Spot Motors, et al., v. Toyota Motor Corp., et al.	C.D. Cal.	8:10- cv- 00312	- No discovery has taken place - Stay order entered 04/05/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1 - Notice of Reassignment of case filed 04/12/10
70.	De Vincenzi, v. Toyota Motor Corp., et al.	C.D. Cal.	8:10- cv- 00328	- No discovery has taken place - Transferred and assigned to Judge Selna per his Apr-14 Order No.1

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No.	Case Name	District	Case No.	Current Status
71.	Domínguez, v. Toyota Motor Corp., et al.	C.D. Cal.	8:10- cv- 00380	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
72.	Shah, v. Toyota Motor Corp., et al.	C.D. Cal.	8:10- cv- 00385	- No discovery has taken place - Notice of Reassignment of case filed 4/12/10 - Transferred and assigned to Judge Selna per his Apr-14 Order No.1
73.	Deis, v. Toyota Motor Corp., et al.	C.D. Cal.	8:10- cv- 00458	- Not yet served - Transferred to Judge Selna from Judge Carter on 4/19/10
74.	Robson, v. Toyota Motor Corporation, et al.	D. Alaska	3:10- cv- 00037	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
75.	Bowron, et al., v. Toyota Motor Sales, U.S.A., Inc.	D. Ariz.	2:10- cv- 00580	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
76.	Smyser, v. Toyota Motor Corporation, et al.	D. Ariz.	2:10- cv- 00741	- Removed from state court. - No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
77.	Noble, v. Toyota Motor North America, Inc., et al.	D. Col.	1:10- cv- 00915	- Not yet served - Tag-along notice to be filed.
78.	Scharrel, et al., v. Toyota Motor North America, Inc, et al.	D. Colo.	1:10- cv- 00227	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
79.	Harris, v. Toyota Motor Sales, U.S.A., Inc.	D. Colo.	1:10- cv- 00460	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.

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No.	Case Name	District	Case No.	Current Status
80.	Patel, et al., v. Toyota Motor North America, Inc., et al.	D. Conn.	3:10-cv-00210	- No response filed, no pending motions or discovery. - Stay issued on 3/11/10 - Included on CTO-1 issued on 4/22/10
81.	Funasaki, v. Toyota Motor Corporation, et al.	D. Haw.	1:10-cv-00111	- No response filed, no discovery. - Motion to stay pending. - Tag-along notice filed 4/12/10.
82.	Gustin, v. Toyota Motor Corporation, et al.	D. Idaho	1:10-cv-00114	- Not yet served. - Tag-along notice filed 4/12/10.
83.	Firgon, v. Toyota Motor Corporation, et al.	D. Kan.	2:10-cv-02075	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
84.	Shechter, et al. v. Toyota Motor Engineering & Manufacturing North America, Inc., et al.	D. Kan.	2:10-cv-02144	- Not yet served. - Tag-along notice filed 4/12/10.
85.	Fanning, et al. v. Toyota Motor Corporation, et al.	D. Kan.	6:10-cv-01090	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
86.	Shah, v. Toyota Motor North America, Inc., et al.	D. Mass.	1:10-cv-10263	- Not yet served. - Included on CTO-1 issued on 4/22/10
87.	Murphy, v. Toyota Motor Sales, U.S.A., Inc.	D. Mass.	1:10-cv-10349	- Pleadings closed. - No discovery to date. - Vehicle Inspection to be completed April 30, 2010. - Tag-along notice filed 4/12/10
88.	Ferrara, v. Toyota Motor Sales, USA, Inc., et al.	D. Mass.	1:10-cv-10381	- Waiver of Service of Summons issued 4/5/10 - Tag-along notice filed on 4/12/10

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No.	Case Name	District	Case No.	Current Status
89.	Scott, v. Toyota Motor North America, Inc, et al.	D. Md.	8:10- cv- 00450	- No response filed, no pending motions or discovery. - Stay ordered 4/2/10 - Tag-along notice filed on 4/21/10
90.	Johnston, v. Toyota Motor Sales, U.S.A., Inc., et al.	D. Minn.	0:10- cv- 00759	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
91.	Karjala, v. Toyota Motor Corporation, et al.	D. Minn.	0:10- cv- 00766	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
92.	Weyer, et al., v. Toyota Motor North America, Inc., et al.	D. Minn.	0:10- cv- 00801	- Not yet served. - Tag-along notice filed 4/12/10.
93.	Oliver, v. Toyota Motor Sales, U.S.A., Inc., et al.	D. Minn.	0:10- cv- 00942	- Not yet served - Included on CTO-1 issued 4/22/10.
94.	Wedul, v. Toyota Motor Sales, U.S.A., Inc., et al.	D. Minn.	0:10- cv- 00943	- Not yet served. - Tag-along notice filed 4/12/10.
95.	Bell, v. Toyota Motors Sales, U.S.A., Inc., et al.	D. Minn.	0:10- cv- 00944	- Not yet served. - Tag-along notice filed 4/12/10.
96.	Ruf, v. Toyota Motor Sales, U.S.A., Inc.	D. Minn.	0:10- cv- 01694	- Matter filed in state court (Hennepin County, MN) March 30, 2010 - Notice of Removal filed April 19, 2010 - State court discovery issued, but now stayed pending Rule 26 conf. - Tag-along notice filed 4/21/10.
97.	Quintana, et al. v. Toyota Motor Corporation, et al.	D. Mont.	1:10- cv- 00020	- Not yet served. - Tag-along notice filed 4/12/10.

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No.	Case Name	District	Case No.	Current Status
98.	Bonacci, et al., v. Toyota Motor Corporation, et al.	D. Neb.	8:10-cv-00149	- Not yet served. - Tag-along notice to be filed.
99.	Vanagas, v. Toyota Motor Sales, U.S.A., Inc.	D. Or.	3:10-cv-00293	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
100.	McCoy, v. Toyota Motor Sales, U.S.A., Inc.	D. Or.	3:10-cv-00294	- Waiver of service returned; response not yet due. - No response filed, no pending motions or discovery. - Included on CTO-1 issued 4/22/10.
101.	Fahey, v. Toyota Motor Corporation, et al.	D. Or.	3:10-cv-00297	- Not yet served. - Included on CTO-1 issued 4/22/10.
102.	Gureski, et al., v. Toyota Motor North America, Inc., et al.	D. Wyo.	1:10-cv-00031	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
103.	Miller, v. Toyota Motor North America, Inc., et al.	D.D.C.	1:10-cv-00657	- Not yet served - Tag-along notice to be filed.
104.	Fraase, v. Toyota Motor Corporation, et al.	D.N.D.	3:10-cv-00016	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
105.	Gonzalez, v. Toyota Motor Sales, U.S.A., Inc., et al.	D.N.J.	3:10-cv-00595	- Complaint served 4/21/10 - Included on CTO-1 issued on 4/22/10
106.	Colaberdino, v. Toyota Motor North America, Inc., et al.	D.N.J.	3:10-cv-00672	- Complaint not yet served. - Included on CTO-1 issued on 4/22/10

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No.	Case Name	District	Case No.	Current Status
107.	Abken, et al. v. Toyota Motor North America, Inc., et al.	D.N.J.	3:10-cv-00763	- Not yet served. - Included on CTO-1 issued on 4/22/10
108.	Guokas, v. Toyota Motor Corporation, et al.	D.N.J.	3:10-cv-00778	- No response filed, no pending motions or discovery. - Stay issued on 4/6/10 - Included on CTO-1 issued on 4/22/10
109.	Gordon, et al., v. Toyota Motor North America Inc., et al.	D.N.J.	3:10-cv-00914	- No response filed, no pending motions or discovery. - Stay issued on 4/7/10 - Included on CTO-1 issued on 4/22/10
110.	Coslop, v. Toyota Motor Corporation, et al.	D.N.J.	3:10-cv-01623	- Case Removed from State Court on 3/29/10. - No response filed, no pending motions or discovery. - Stay issued on 4/6/10 - Tag-along notice filed on 4/12/10
111.	Tiboni, v. Toyota Motor Sales, U.S.A., Inc., et al.	D.N.J.	3:10-cv-01786	- Removed from state court on 4/8/10 - No response filed, no outstanding discovery - Stipulation and Proposed Order to Stay Proceeding filed on 4/13/10 - Tag-along notice filed on 4/12/10
112.	Nelson v. Toyota Motor North America, Inc., et al.	D.N.M.	1:10-cv-00161	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
113.	Griffin, v. Toyota Motor Company Corporation, et al.	D.N.M.	1:10-cv-00323	- Case removed from state court. - No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
114.	Hollis, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	D.N.M.	1:10-cv-00379	- Complaint filed 4/19/10 - Amended Complaint filed 4/20/10

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No.	Case Name	District	Case No.	Current Status
115.	Bithorn, et al., v. Toyota Motor North America, Inc., et al.	D.P.R.	3:10-cv-01083	- No response filed, no pending motions or discovery. - Stay issued on 4/1/10 - Included on CTO-1 issued on 4/22/10
116.	Corrigan, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	D.R.I.	1:10-cv-00138	- Complaint not yet served. - Tag-along notice filed on 4/12/10
117.	Wooten, v. Toyota Motor North America Inc., et al.	D.S.C.	3:10-cv-00229	- No response filed, no pending motions or outstanding discovery. - Plaintiff served LR 26.1 interrogatory responses. - Stipulated stay entered 3/16/10 - Included on CTO-1 issued 4/22/10.
118.	Roberts, v. Toyota Motor Corporation, et al.	D.S.C.	7:10-cv-00281	- No response filed, no pending motions or discovery. - Plaintiff's motion for order re: preservation of evidence denied. - Stay issued 3/19/10 - Included on CTO-1 issued 4/22/10.
119.	Hartgrove, v. Toyota Motor Corporation, et al.	E.D. Tenn.	3:10-cv-00101	- Removed from state court on 3/12/10. - No response filed and no discovery. - Motion to stay pending. - Tag-along notice filed on 4/12/10
120.	Horn, v. Toyota Motor Sales U.S.A., Inc., et al.	E.D. Ark.	4:10-cv-00090	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
121.	Rainwater, v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D. Ark.	4:10-cv-00116	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.

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No.	Case Name	District	Case No.	Current Status
122.	Lentz, v. Toyota Industries North America Inc., et al.	E.D. Ark.	4:10-cv-00149	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
123.	Viviano, et al., v. Toyota Motor Engineering & Manufacturing North America, Inc., et al.	E.D. Ky	2:10-cv-00024	- No response filed, no pending motions or discovery. - Stay ordered 3/10/10 - Tag-along notice filed on 4/12/10
124.	Poynter, et al., v. Toyota Motor North America Inc., et al.	E.D. Ky.	2:10-cv-00021	- No response filed, no pending motions or discovery. - Stay ordered 3/10/10 - Included on CTO-1 issued 4/22/10.
125.	Miller, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D. Ky.	2:10-cv-00031	- No response filed, no pending motions or discovery. - Stay issued 3/10/10 - Included on CTO-1 issued 4/22/10.
126.	Leaverton, v. Toyota Motor Engineering & Manufacturing North America, Inc., et al.	E.D. Ky.	2:10-cv-00032	- No response filed, no pending motions or discovery. - Agreed stay entered 3/9/10. - Included on CTO-1 issued 4/22/10.
127.	Maryn, v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D. Ky.	2:10-cv-00046	- No response filed, no pending motions or discovery. - Stay ordered 3/10/10 - Included on CTO-1 issued 4/22/10.
128.	Jorge, v. Toyota Motor North America , Inc., et al.	E.D. Ky.	2:10-cv-00060	- No response filed, no pending motions or discovery. - Tag-along notice filed on 4/12/10
129.	Johnson, et al. v. Toyota Motor North America, Inc.	E.D. La	2:10-cv-00622	- Warranty litigation - Tag-along notice filed on 4/12/10.

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No.	Case Name	District	Case No.	Current Status
130.	Weimer, et al., v. Toyota Motor North America, Inc., et al.	E.D. La.	2:10-cv-00219	<ul style="list-style-type: none"> - No response filed, no pending motions. - Plaintiff's 1st interrogatories and requests for production to defendant outstanding (but improperly served). - Stay ordered 3/31/10 - Transferred to MDL No. 2151 on 4/9/10
131.	Maillho, v. Toyota Motor North America, Inc., et al.	E.D. La.	2:10-cv-00279	<ul style="list-style-type: none"> - No response filed, no pending motions. - Plaintiff's 1st interrogatories and requests for production to defendant outstanding (but improperly served). - Stay ordered 3/31/10 - Transferred to MDL No. 2151 on 4/9/10
132.	Brock, v. Toyota Motor North America, Inc., et al.	E.D. La.	2:10-cv-00281	<ul style="list-style-type: none"> - No response filed. - Transferred to MDL No. 2151 on 4/9/10.
133.	Farrelly, et al., v. Toyota Motor North America, Inc., et al.	E.D. La.	2:10-cv-00647	<ul style="list-style-type: none"> - Not yet served - Included on CTO-1 issued 4/22/10.
134.	Burke, v. Toyota Motor North America, Inc., et al.	E.D. La.	2:10-cv-00649	<ul style="list-style-type: none"> - Not yet served. - Included on CTO-1 issued 4/22/10.
135.	Jones, et al., v. Toyota Motor North America, Inc., et al.	E.D. La.	2:10-cv-00687	<ul style="list-style-type: none"> - No response filed, no pending motions or discovery. - Consent stay entered 3/15/10. - Included on CTO-1 issued 4/22/10.
136.	McKinney, et al., v. Toyota Motor North America, Inc., et al.	E.D. La.	2:10-cv-00850	<ul style="list-style-type: none"> - No response filed, no discovery. - Consent motion to stay pending/ - Tag-along notice filed on 4/12/10

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No.	Case Name	District	Case No.	Current Status
137.	Frederickson, v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D. La.	2:10- cv- 00892	- No response filed, no pending motions. - Tag-along notice filed on 4/21/10.
138.	LaRocca's Auto Sales, Inc. v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D. La.	2:10- cv- 00893	- No response filed, no pending motions. - Tag-along notice filed on 4/21/10.
139.	Baumkel, v. Toyota Motor North America, Inc., et al.	E.D. Mich.	2:10- cv- 10525	- No response filed, no pending motions or discovery. - Currently stayed. - Included on CTO-1 issued 4/22/10.
140.	Hernandez, v. Hino Motors Manufacturing U.S.A. Inc., et al.	E.D. Mich.	2:10- cv- 10835	- Not yet served. - Included on CTO-1 issued 4/22/10.
141.	O'Leary, et al., v. Toyota Motor Sales, USA, Inc., et al.	E.D. Mo.	4:10- cv- 00350	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
142.	Ridenour, v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D. Mo.	4:10- cv- 00365	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
143.	Devlin, v. Toyota Motor North America, Inc., et al.	E.D. Pa.	2:10- cv- 00817	- Pleadings not closed. - No discovery to date. - Included in CTO-1 issued on 4/22/10.
144.	Kirkpatrick, et al., v. Toyota Motor North America Inc., et al.	E.D. Pa.	2:10- cv- 00994	- No response filed, no pending motions or discovery. - Stay issued 4/6/10 - Tag-along notice filed on 4/12/10
145.	Gumble, v. Toyota Motor Corporation, et al.	E.D. Pa.	5:10- cv- 00521	- No response filed, no outstanding discovery. - Motion to Stay filed 3/31/10 - Included on CTO-1 issued on 4/22/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
146.	Greisiger, et al., v. Toyota Motor North America, Inc., et al.	E.D. Pa.	5:10-cv-00554	- Complaint not yet served. - Included on CTO-1 issued on 4/22/10
147.	Whiddon, v. Toyota Motor Corporation, et al.	E.D. Tex.	1:10-cv-00080	- Not yet served - Included on CTO-1 issued 4/22/10.
148.	Grewal, v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D. Tex.	5:10-cv-00042	- No response filed, no discovery. - Unopposed extension to respond filed - Tag-along notice filed on 4/12/10
149.	Fogarty, et al., v. Toyota Motor North America, Inc., et al.	E.D.N.Y.	1:10-cv-00542	- Complaint not yet served. - Included on CTO-1 issued on 4/22/10
150.	DuBois, v. Toyota Motor North America, Inc., et al.	E.D.N.Y.	1:10-cv-00779	- Complaint not yet served. - Tag-along notice filed on 4/12/10
151.	Gally, et al., v. Toyota Motor Corporation, et al.	E.D.N.Y.	1:10-cv-00854	- No response filed, no pending motions or discovery. - Stay issued on 3/25/10 - Tag-along notice filed on 4/12/10
152.	Ifergan v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D.N.Y.	1:10-cv-01116	- Pleadings not closed. - No discovery to date. - Removed on 3/11/10 - Tag-along notice filed 4/12/10
153.	Yastrab, v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D.N.Y.	1:10-cv-01334	- Complaint not yet served. - Tag-along notice filed on 4/12/10
154.	Sitafalwalla, v. Toyota Motor Sales, U.S.A., Inc.	E.D.N.Y.	2:08-cv-03001	- Discovery completed. - Motion for Summary Judgment to be filed. - Anticipated trial date in 2010.
155.	Phaneuf, v. Toyota Motor Sales, U.S.A., Inc., et al.	E.D.N.Y.	2:10-cv-00487	- Complaint served 4/21/10 - No response filed, no pending motions or discovery. - Included on CTO-1 issued on 4/22/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
156.	Rosenberg, v. Toyota Motor Corporation, et al.	E.D.N.Y.	2:10-cv-01272	- No response filed, no pending motions or discovery. - Stipulation extending time to respond. - Tag-along notice filed on 4/12/10
157.	Boughner, v. Toyota Motor Engineering & Manufacturing North America, Inc., et al.	E.D.N.Y.	2:10-cv-01361	- Removed from state court 3/25/10 - Order issued on 4/5/10 extending time for TMS and TLT to answer until 5/14/10 - Tag-along notice filed on 4/12/10
158.	Harding, v. Toyota Motor Corporation, et al.	M.D. Ala.	2:10-cv-00100	- No response filed, no pending motions or discovery. - Stay issued on 3/2/10 - Included on CTO-1 issued on 4/22/10
159.	Lynch, v. Toyota Motor Corporation, et al.	M.D. Fla.	8:10-cv-00326	- No response filed, no pending motions or discovery. - Transferred to MDL No. 2151 on 4/9/10
160.	Cipriani, v. Toyota Motor Corporation, et al.	M.D. Fla.	8:10-cv-00427	- Complaint not yet served. - Included on CTO-1 issued on 4/22/10
161.	Stoller, et al. v. Toyota Motor Corporation, et al.	M.D. Ga.	4:10-cv-00024	- No response filed, no pending motions or discovery. - Stay issued on 3/10/10 - Included on CTO-1 issued on 4/22/10
162.	Donahue, v. Toyota Motor North America, Inc., et al.	M.D. La.	3:10-cv-00108	- No response filed, no discovery. - Consent motion to stay pending - Included on CTO-1 issued 4/22/10.
163.	Rockforte, v. Toyota Motor North America Inc., et al.	M.D. La.	3:10-cv-00174	- Not yet served - Included on CTO-1 issued 4/22/10.
164.	Cruikshank, v. Toyota Motor Corporation, et al.	M.D. Tenn.	3:10-cv-00364	- Service of complaint pending - Tag-along notice filed on 4/21/10.

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
165.	Atnip, et al., v. Toyota Motor Corporation, et al.	M.D. Tenn.	3:10-cv-00387	- Removed from state court 4/15/10 - Motion to stay pending - No response filed or outstanding discovery - Tag-along notice filed on 4/21/10
166.	Heidenreich, v. Toyota Motor North America, Inc., et al.	N.D. Fla.	4:10-cv-00035	- Complaint not yet served. - Included on CTO-1 issued on 4/22/10
167.	Johnson, v. Toyota Motor Corporation, et al.	N.D. Fla.	5:10-cv-00026	- No response filed, no pending motions or discovery. - Order issued 3/17/10 extending time to respond - Included on CTO-1 issued on 4/22/10
168.	Schlegel, et al. v. Toyota Motor Sales, U.S.A., Inc., et al.	N.D. Ga.	1:10-cv-00694	- Complaint not yet served. - Tag-along notice filed on 4/12/10
169.	Drake, et at., v. Toyota Motor North America, Inc., et al.	N.D. Ga.	1:10-cv-01231	- Case filed 4/23/10
170.	Ochs, v. Toyota Motor Corporation, et al.	N.D. Ill.	1:10-cv-00918	- No response filed, no discovery. - Unopposed stay motion pending - Included on CTO-1 issued 4/22/10.
171.	Field, et al., v. Toyota Motor North America, Inc., et al.	N.D. Ill.	1:10-cv-01351	- Not yet served - Tag-along notice filed on 4/12/10
172.	Shansky, v. Toyota Motor Sales, U.S.A., Inc., et al.	N.D. Ill.	1:10-cv-01379	- No response filed, no pending motions or discovery. - Stay ordered 3/26/10 - Tag-along notice filed on 4/12/10
173.	Toledo, v. Toyota Motor Corporation, et al.	N.D. Ill.	1:10-cv-01599	- No response filed, no pending motions or discovery. - Unopposed stay entered 4/5/10 - Tag-along notice filed on 4/12/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
174.	Diaz, v. Toyota Motor Corporation, et al.	N.D. Ill.	1:10-cv-01931	- No response filed, no discovery. - Unopposed stay motion filed 4/12/10 - Tag-along notice filed on 4/12/10
175.	Rifken, v. Toyota Motor North America Inc., et al.	N.D. Ill.	1:10-cv-02507	- Removed 4/20/10 - No response filed, no discovery. - Motion to stay pending. - Tag-along notice to be filed.
176.	Simmons, et al., v. Toyota Motor Corporation, et al.	N.D. Miss.	3:10-cv-00009	- No response filed, no pending motions or discovery. - Stay ordered 3/22/10 - Included on CTO-1 issued 4/22/10.
177.	Menssen, v. Toyota Motor Sales, U.S.A., Inc., et al.	N.D. Ohio	1:10-cv-00260	- No response filed, no pending motions or discovery. - Consent stay entered 3/9/10 - Included on CTO-1 issued 4/22/10.
178.	Immerman, v. Toyota Motor North America, Inc., et al.	N.D. Ohio	1:10-cv-00650	- Not yet served. - Tag-along notice filed on 4/12/10
179.	Lee, et al., v. Toyota Motor North America, Inc., et al.	N.D. Ohio	3:10-cv-00280	- Not yet served. - Included on CTO-1 issued 4/22/10.
180.	Haustein, v. Toyota Motor Corporation, et al.	N.D.N.Y.	5:10-cv-00178	- No response filed, no outstanding discovery. - Motion to Stay filed by TMS and TEM currently pending. - Included on CTO-1 issued on 4/22/10
181.	Scharer, v. Toyota Motor Sales, U.S.A., Inc., et al.	S.D. Cal.	3:10-cv-00648	- Has not been served. - Tag-along notice filed with the JPML on 4/21/10
182.	Rivas-Vigil, v. Toyota Motor North America, Inc., et al.	S.D. Fla.	0:10-cv-60183	- Not yet served. - Included on CTO-1 issued on 4/22/10

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No.	Case Name	District	Case No.	Current Status
183.	Siff, et al., v. Toyota Motor North America, Inc., et al.	S.D. Fla.	0:10-cv-60379	- No response filed, no pending motions or discovery - Stayed and Administratively Closed Pending JPML on 3/31/10 - Tag-along notice filed on 4/12/10
184.	Gellman, v. Toyota Motor Sales, USA, Inc.	S.D. Fla.	1:10-cv-20006	- No response filed, no pending motions or discovery. - Stay order entered on 2/26/10 - Transferred to MDL No. 2151 on 4/9/10
185.	Ramos, et al., v. Toyota Motor Sales U.S.A., Inc.	S.D. Fla.	1:10-cv-20630	- Removed from state court 3/2/10 - No response filed, no outstanding discovery - Stayed and Administratively Closed Pending JPML on 3/9/10 - Tag-along notice filed on 4/12/10
186.	Cohen-Goldberger, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	S.D. Fla.	1:10-cv-20648	- No response filed, no pending motions or discovery. - Stay issued on 4/1/10 - Tag-along notice filed on 4/12/10
187.	Helmick, et al., v. Toyota Motor Sales, U S A , Inc., et al.	S.D. Fla.	1:10-cv-20960	- No response filed, no outstanding discovery. - Motion to stay pending - Order issued 4/21/10 extending time to respond - Tag-along notice filed on 4/12/10
188.	Heilbrunn, v. Toyota Motor Corporation, et al.	S.D. Fla.	9:10-cv-80208	- Complaint not yet served. - Included on CTO-1 issued on 4/22/10
189.	Laird, et al., v. Toyota Motor Corporation, et al.	S.D. Ga.	3:10-cv-00022	- No response filed, no pending motions or discovery. - Stay issued on 4/8/10 - Included on CTO-1 issued on 4/22/10
190.	Walls, v. Toyota Motor Corporation, et al.	S.D. Ill.	3:10-cv-00215	- Not yet served - Tag-along notice filed on 4/12/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
191.	Enderle, v. Toyota Motor North America, Inc., et al.	S.D. Ind.	1:10- cv- 00142	- No response filed, no discovery. - Joint motion to stay pending - Included on CTO-1 issued 4/22/10.
192.	Beard, et al. v. Toyota Motor Corporation, et al.	S.D. Iowa	3:10- cv- 00033	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
193.	Carlson, v. Toyota Motor Corporation, et al.	S.D. Iowa	4:10- cv- 00083	- No response filed, no discovery. - Motion to stay pending. - Tag-along notice filed 4/12/10.
194.	Mitchell, v. Toyota Motor North America, Inc., et al.	S.D. Miss.	3:10- cv- 00104	- Not yet served - Included on CTO-1 issued 4/22/10.
195.	Grunkemeyer, et al., v. Toyota Motor Sales Inc., et al.	S.D. Ohio	1:10- cv- 00128	- Removed from state court on 2/25/10. - No discovery. - Defendants' motion to dismiss, plaintiff's motion for extension of time to respond, and defendants' motion to stay pending. - Included on CTO-1 issued 4/22/10.
196.	Kunce, v. Toyota Motor Sales, U.S.A., Inc., et al.	S.D. Ohio	1:10- cv- 00165	- No response filed, no pending motions or discovery. - Joint stay issued 3/14/10 - Tag-along notice filed on 4/12/10
197.	Gladon, v. Toyota Motor Engineering & Manufacturing North America, Inc., et al.	S.D. Ohio	2:10- cv- 00179	- No response filed, no discovery. - Joint motion to stay pending - Tag-along notice filed on 4/12/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
198.	Cox, et al., v. Beechmont Toyota, Inc., et al.	S.D. Ohio	2:10- cv- 00181	<ul style="list-style-type: none"> - Removed from state court. - No discovery to date. - Defendants' Motion to dismiss and Plaintiffs' motion for temporary restraining order and preliminary injunction are pending. - Abeyance order issued on 3/15/10 - Included on CTO-1 issued 4/22/10.
199.	Shumaker, v. Toyota Motor Engineering & Manufacturing North America, Inc., et al.	S.D. Ohio	3:10- cv- 00061	<ul style="list-style-type: none"> - No response filed, no pending motions or discovery. - Stay ordered 3/2/10 - Included on CTO-1 issued 4/22/10.
200.	O'Rourke, et al., v. Toyota Motor Sales, U.S.A., Inc.	S.D. Ohio	3:10- cv- 00124	<ul style="list-style-type: none"> - Removed from state court 04/01/10. - Stay order entered 04/12/10. - No discovery to date. - Plaintiff's motion to dismiss without prejudice pending. - Tag-along notice filed 4/12/10.
201.	Solomon Harbor v. Toyota Motor Sales, U.S.A., Inc., et al.	S.D. Ohio	3:10- cv- 00144	<ul style="list-style-type: none"> - Removed from state court on 4/13/10. - Case stayed. - Tag-along notice filed on 4/21/10.
202.	Pena, et al., v. Toyota Motor Corporation, et al.	S.D. Tex.	2:10- cv- 00037	<ul style="list-style-type: none"> - No response filed, no pending motions or discovery. - Agreed stay filed 3/5/10 - Included on CTO-1 issued 4/22/10.
203.	Dadisman, et al., v. Toyota Motor Corporation, et al.	S.D. W.V.	2:10- cv- 00399	<ul style="list-style-type: none"> - Not yet served. - Tag-along notice filed on 4/12/10
204.	Davis, v. Toyota Motor Sales, U.S.A., Inc., et al.	S.D.N.Y.	1:10- cv- 00900	<ul style="list-style-type: none"> - No response filed, no pending motions or discovery. - Stay issued on 4/7/10 - Included on CTO-1 issued on 4/22/10

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
205.	Sander, v. Toyota Motor Sales, U.S.A., Inc., et al.	S.D.N.Y.	1:10- cv- 01111	- No response filed, no pending motions or discovery. - Stay issued on 3/10/10\ - Included on CTO-1 issued on 4/22/10
206.	Tran, v. Toyota Motor North America, Inc., et al.	S.D.N.Y.	1:10- cv- 01816	- No response filed, no pending motions or discovery. - Removed from State Court 3/8/10 - Stay issued 3/23/10
207.	Iglesias, v. Toyota Motor Corporation, et al.	S.D.N.Y.	1:10- cv- 1014	- No response filed, no pending motions or discovery. - Stay issued on 3/1/10 - Included on CTO-1 issued on 4/22/10
208.	Fox, v. Toyota Motor North America, Inc., et al.	S.D.N.Y.	7:10- cv- 02166	- Pleadings not closed. - No discovery to date. - Included in CTO-1 issued on 4/22/10.
209.	Murtha, v. Toyota Motor North America, Inc., et al.	S.D.N.Y.	7:10- cv- 02419	- Pleadings not closed. - No discovery to date. - Included in CTO-1 issued on 4/22/10.
210.	Graves, et al., v. Toyota Motor Manufacturing, West Virginia, Inc., et al.	S.D.W. Va.	2:09- cv- 01247	- Defendants' motion to dismiss pending. - No discovery. - Stay issued 3/10/10 - Transferred to MDL No. 2151 on 4/9/10
211.	Herrell, et al. v. Lexus, a division of Toyota Motor Sales, USA, Inc., et al.	W.D. Mich.	1:09- cv- 00061	- Companion case to Leonard - Early mediation unsuccessful - Plaintiffs' depositions schedules - Written discovery in progress - Tag-along notice filed on 4/12/10.
212.	Adkison, v. Toyota Motor Sales, U.S.A., Inc.	W.D. Ark.	6:10- cv- 06013	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
213.	Fontenot, v. Toyota Motor North America, Inc., et al.	W.D. La	6:10- cv- 00521	- Service of complaint pending - Tag-along notice filed on 4/12/10.

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
214.	Gaspard, et al. v. Toyota Motor Sales, U.S.A., Inc., et al.	W.D. La.	1:10- cv- 00179	- No response filed, no pending motions. - Included on CTO-1 issued on 4/22/10.
215.	Boudoin, v. Toyota Motor Sales, U.S.A., Inc., et al.	W.D. La.	1:10- cv- 00421	- Not yet served - Tag-along notice filed on 4/21/10.
216.	Jerry Baker Auto Sales, LLC, v. Toyota Motor Sales, U.S.A., Inc., et al.	W.D. Mo.	2:10- cv- 04025	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
217.	Hulsen, et al., v. Toyota Motor Corporation , et al.	W.D. Mo.	4:10- cv- 00103	- No response filed, no pending motions or discovery. - Case stayed. - Included on CTO-1 issued 4/22/10.
218.	Zhang, et al., v. Toyota Motor Engineering & Manufacturing North America, Inc., et al.	W.D. Mo.	4:10- cv- 00238	- Not yet served. - Tag-along notice filed 4/12/10.
219.	Hines- Muhammad, v. Toyota Motor Sales U.S.A., Inc., et al.	W.D. N.C.	3:10- cv- 00135	- Not yet served. - Tag-along notice filed on 4/12/10
220.	Lee, et al., v. Toyota Motor Sales U.S.A., Inc., et al.	W.D. Okla.	5:10- cv- 00117	- Not yet served. - Included on CTO-1 issued 4/22/10.
221.	Gedid, v. Toyota Motor Corporation, et al.	W.D. Pa	2:10- cv- 00407	- Pleadings not closed. - No discovery to date. - Tag-along notice filed 4/12/10.
222.	Elmes, v. Toyota Motor Manufacturing Kentucky, Inc., et al.	W.D. Pa.	2:08- cv- 1300	- Written discovery and depositions underway. - Anticipated trial date in 2010.

EXHIBIT A

No.	Case Name	District	Case No.	Current Status
223.	Pera, v. Toyota Motor Corporation, et al.	W.D. Tenn.	2:10- cv- 02153	- No response filed, no pending motions or discovery. - Joint stay entered 4/13/10 - Tag-along notice filed on 4/12/10
224.	Payne, vs. Toyota Motor Sales, U.S.A., Inc.	W.D. Tenn.	2:10- cv- 02224	- Complaint served on 4/20; no response filed. - Tag-along notice filed on 4/12/10.
225.	Weller, et al., v. Toyota Motor Sales, U.S.A., Inc.	W.D. Wash.	2:10- cv- 00426	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
226.	Wojeck, v. Toyota Motor North America, Inc., et al.	W.D. Wash.	2:10- cv- 00542	- Removed from state court. - No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
227.	Seu, et al., v. Toyota Motor Corporation, et al.	W.D. Wash.	3:10- cv- 05176	- No response filed, no pending motions or discovery. - Case stayed. - Tag-along notice filed 4/12/10.
228.	Grier, v. Toyota Motor Sales, USA Inc.	W.D.N.C.	3:10- cv- 00176	- Action removed from state court on 4/16/10 - No motions pending - No discovery has taken place - Tag-along notice filed 4/21/10.

EXHIBIT A

EXHIBIT B

EXHIBIT B: Related State Cases

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
1.	Varner, v. Toyota Motor Sales USA, Inc., et al.	AL	Montgomery Co. AL	03-CV- 2010- 900320.0 0	- Discovery pending
2.	Teston, et al., v. Toyota Motor Corporation, et al.	AR	Circuit Court of Pulaski County, AK	CV2010- 0903	- Not yet served
3.	Abrams, et al., v. Toyota Motor Sales, U.S.A., Inc.	CA	L.A. Super. Ct.	BC4328 11	- No discovery has taken place - Case is stayed pursuant to Court's March 2010 order designating case as complex. Stay is in place until first status conference. - Included in Petition for Coordination
4.	Andrade, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Los Angeles County Superior Court, Norwalk	VC0558 84	- No written discovery. - Plaintiffs' Depositions noticed for 05/03/10. - Stipulation confirming Plaintiffs are not pursuing any type of unintended acceleration claim forwarded to Plaintiffs' counsel, waiting for execution.
5.	Bates, v. Toyota Motor Corporation, et al.	CA	Santa Clara County Superior Court, California	109CV1 58872	- Initial written discovery from plaintiff and TMS served and responded to. - No depositions scheduled. - Plaintiff recently amended complaint adding additional Toyota entity and dealership.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
6.	Berberian, v. Toyota Motor Sales, U.S.A., Inc.	CA	Los Angeles County Superior Court	BC4352 51	<ul style="list-style-type: none"> - Complaint filed on 4/6/10. - Responsive pleading has not been filed yet. - Ex parte application to stay proceeding pending petition for coordination has not been filed yet. - No discovery served or scheduled.
7.	Brown, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	San Diego County Superior Court, Chula Vista	37-2010- 0007511 0-CU- BC-SC	<ul style="list-style-type: none"> - Written discovery served by Plaintiff, not yet responded to. - Plaintiff's counsel noticed the depositions of Toyota's PMK(s). Plaintiff's counsel also noticed the deposition of Toyota employee, Troy Higa. - Demurrer/Motion to Strike filled. - Stay Order entered.
8.	Campbell, v. Toyota Motor North America, Inc., et al.	CA	Los Angeles County Superior Court, California	SC10758 4	<ul style="list-style-type: none"> - Complaint served; no responses filed. - No discovery to date.
9.	Diaz, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Riverside County Superior Court, Central	RIC 1000620 1	<ul style="list-style-type: none"> - No written discovery served. - No depositions scheduled. - Demurrer/Motion to Strike to be filed. - Motion to Stay to be filed.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
10.	Esfandiari, et al. v. Toyota Motor North America, et al.	CA	Orange County Superior Court, California	30-2009- 0033328 5	<ul style="list-style-type: none"> - Initial written discovery served on plaintiffs, but not yet responded to. - No depositions scheduled. - TMA and TEMA's Demurrer pending
11.	Ezal, et al., v. Martin Resorts, Inc., et al.	CA	San Luis Obispo County Superior Court, California	CV0904 25	<ul style="list-style-type: none"> - Numerous written discovery requests propounded by all parties; responses served and pending. - Fact depositions underway; Toyota witness depositions pending.
12.	Flores, et al., v. Toyota Motor Sales USA, Inc., et al.	CA	Contra Costa County Superior Court, California	C 10 00681	<ul style="list-style-type: none"> - Complaint served; no response filed. - No discovery to date.
13.	Austin, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Stanislaus County	652113	<ul style="list-style-type: none"> - Complaint served to defendants on 4-1-10; responses are due 5-3-10 - Application for stay to be filed - Plaintiff served written discovery to defendants; responses due 5-17-10 - No depositions have been set

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
14.	Gonzalez, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Stanislaus County	651403	<ul style="list-style-type: none"> - Case stayed until 8/23/10. - Plaintiff served written discovery to defendants on 4-12-10. - No depositions scheduled. - Ex parte application to stay granted for 120 days – 4/23/10. - Defendants’ demurrer and motion to strike set for hearing 5-21-10.
15.	Grainger, et al., v. Toyota Motor Sales USA, Inc., et al.	CA	Los Angeles County Superior Court, California	BC4346 46	<ul style="list-style-type: none"> - Complaint served; no response filed. - No discovery to date.
16.	Grant, et al., v. Toyota Motor Sales, U.S.A., Inc.	CA	L.A. Super. Ct.	BC4327 06	<ul style="list-style-type: none"> - No discovery has taken place - Case is stayed pursuant to Court’s March 2010 order designating case as complex. Stay is in place until first status conference. - Not included in Petition for Coordination
17.	Hawatmeh, et al., v. Toyota Motor Sales USA, Inc, et al.	CA	Los Angeles County Superior Court, California	BC4202 98	<ul style="list-style-type: none"> - Trial Date 1/10/11. - Initial discovery served by plaintiffs and defendant; responses pending. - No depositions scheduled.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
18.	Herman, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	San Diego County	37-2010- 0005338 8	<ul style="list-style-type: none"> - Complaint served to TMS on 4-7-10; a response is due by 5-7-10 - Toyota Carlsbad has not yet been served - No discovery has been propounded - No depositions have been set
19.	Hewitt, v. Toyota Motor North America, Inc., et al.	CA	Los Angeles County Superior Court, California	BC4283 26	<ul style="list-style-type: none"> - TMA dismissed w/o prejudice. - Initial discovery served by TMS; responses pending. - No depositions scheduled.
20.	Jex, v. Toyota Motor North America, Inc., et al.	CA	San Diego County Superior Court, Central	37-2010- 0008862 2-CU- NP-CTL	<ul style="list-style-type: none"> - No written discovery served. - No depositions scheduled. - Demurrer/Motion to Strike to be filed. - Motion to Stay to be filed and heard on 04/28/10.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
21.	Kennedy, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Orange County	30-2010- 0034299 8	<ul style="list-style-type: none"> - Defendants' motion to stay denied - Defendants' demurrer and motion to strike set for 4-29-10 - Written discovery has been propounded to TMS and answered - Written discovery has been sent to Power Toyota, responses are due 5-15-10 - Plaintiff's deposition is set for 4-27-10 - Plaintiff improperly noticed the deposition of TMS; deposition has not yet occurred.
22.	Kimari, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	San Diego County Superior Court, El Cajon	37-2010- 0006595 3	<ul style="list-style-type: none"> - Written discovery served by Plaintiff, not yet responded to. - No depositions scheduled. - Demurrer/Motion to Strike filed. - Stay Order entered.
23.	Kiss, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Orange County Superior Court, California	30-2009 0012635 2	<ul style="list-style-type: none"> - Trial date 10/4/10. - Initial discovery served by TMS; responses served. - Plaintiff's deposition taken; fact witness depositions underway.
24.	Lin, et al., v. Toyota Motor North America, Inc., et al.	CA	Superior Court of Los Angeles County, California	BC4318 60	<ul style="list-style-type: none"> - Complaint served; no response filed. - No discovery to date.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
25.	Lytle, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Los Angeles County	BC4312 50	<ul style="list-style-type: none"> - Action stayed pending order on coordination petition - Return CMC set for 6-24-10 - Demurrer and Motion to strike had been filed but were taken off calendar when stay was issued - Written discovery was served by plaintiff, but is on hold due to stay - No depositions scheduled
26.	Martinez-Gomez, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Yolo County	CV10- 356	<ul style="list-style-type: none"> - Plaintiff served written discovery served to TMS and Hanlees Toyota. TMS has responded; Hanlees' responses due 4-27-10 - Plaintiff served notices of taking TMS' deposition. TMS objected. Deposition has not yet occurred. - CMC on 6-10-10
27.	Ornelas, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Riverside County Superior Court, Central	RIC 1000573 5	<ul style="list-style-type: none"> - No written discovery served. - No depositions scheduled. - Demurrer/Motion to Strike to be filed. - Motion to Stay to be filed.
28.	Paulson & Bender, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	San Diego County Super. Ct.	37-2010- 0008870 1-CU- MC-CTL	<ul style="list-style-type: none"> - Not yet served

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
29.	People of the State of California, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Orange County Super. Ct.	30-2010-0035290 0	<ul style="list-style-type: none"> - Plaintiff has served a Request for Production of Documents on Toyota Motor Sales, U.S.A., Inc. - Case stayed on 04/19/10 - Included in Petition for Coordination
30.	Pfohlman, et al., v. Toyota Motor Sales, U.S.A., Inc.	CA	L.A. Super. Ct.	BC4320 12	<ul style="list-style-type: none"> - No discovery has taken place - Case is stayed pursuant to Court's March 2010 order designating case as complex. Stay is in place until first status conference. - Not included in Petition for Coordination
31.	Rodriquez, v. County Of Kern, et al.	CA	Kern County Superior Court, California	1500-CV-269506S PC	<ul style="list-style-type: none"> - TMS's Response to complaint pending. - Initial discovery served on plaintiff by TMS.
32.	Saylor, et al., v. Toyota Motor Corporation, et al.	CA	San Diego County Superior Court, California	37-2010-0008671 8-CU-PL-CTL	<ul style="list-style-type: none"> - Complaint served; no response filed. - El Cajon Luxury Cars served cross-complaint; no response filed. - No discovery to date.
33.	Schreiber, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Orange County Super. Ct.	30-2010-0035224 2-CU-BT-CXC	<ul style="list-style-type: none"> - No discovery has taken place - Awaiting the signed order re stay - Included in Petition for Coordination
34.	Synn, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Los Angeles County Superior Court, California	SC10716 9	<ul style="list-style-type: none"> - Complaint served; no response filed. - No discovery to date.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
35.	Uno, v. Toyota Motor Sales U.S.A., Inc, et al.	CA	Los Angeles County Superior Court, California	KC0578 88	- Complaint served; no response filed. - No discovery to date.
36.	Vasquez, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Riverside County Superior Court, Central	RIC 1000404 1	- Written discovery served by Plaintiff, not yet responded to. - No depositions scheduled. - Demurer/Motion to Strike filed - Stay Order entered.
37.	Walker, v. Toyota Motor Sales, U.S.A., Inc., et al.	CA	Sacramento County	34-2010- 0007073 4	- Stay issued pending decision of judicial council on coordination petition - Defendants' demurrer and motion to strike were off calendar due to stay - Plaintiff served written discovery to TMS and Folsom Lake Toyota, which is stayed
38.	White, et al., v. Toyota Motor Corporation, et al.	CA	Court of Common Pleas, County of Richland, South Carolina	2010- CP- 4001819	- Complaint served; no response filed. - No discovery to date.
39.	Casco, v. Toyota, et al.	CA	Los Angeles County Superior Court, California	BC- 435986	- Not yet served
40.	Masi, v. Toyota Motor Sales, U.S.A., Inc., et al.	CT	Superior Court of Stampford/ Norwalk, CT	FST-CV- 10- 6003280 -S	- Pleadings are still open. - No discovery to date.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
41.	Devereaux, v. Toyota Motor Sales U.S.A., Inc.	FL	Hillsboroug h Co. FL	1000746 2	- Answer pending
42.	Klein, v. Toyota Motor Corporation	FL	Circuit Court of Palm Beach County	502010C A006855 XXXXM B	- Not yet served
43.	Lagomasino, v. Toyota Motor Corporation, et al.	FL	Leon Co. FL	10C A 874	- Not yet served
44.	Leggiero, et al., v. Toyota Motor Sales, USA, Inc., et al.	FL	Pinellas Co. FL	06- 004661- CI-21	- Parties' depositions completed - Written discovery in process - Scheduling order in place - No trial date
45.	Minervini, et al., v. Toyota Motor Manufacturing Kentucky, Inc., et al.	FL	Pinellas Co. FL	10-5440- C1-11	- Answer pending
46.	Ryan, v. Toyota Motor Corporation	FL	15th Judicial Circuit-Palm Beach County	502010C A005992 XXXXM B	- Not yet served
47.	Sellers, v. Toyota Motor Corporation, et al.	GA	Gwinnett Co. GA	10C- 04579-1	- Answer pending

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
48.	McNair-Stepney, v. Toyota Motor Sales, U.S.A., Inc., et al.	IL	Will County, Illinois	08 L 536	<ul style="list-style-type: none"> - Defendants' Motion to Dismiss pending - Plaintiff's Motion to file Amended Complaint pending - Hearing on Motion to Dismiss and Motion to file Amended Complaint set for April 27, 2010 - Discovery is pending, but no due date in light of pending Motion to Amend Complaint
49.	Perry, v. Toyota Motor Engineering and Manufacturing North America, Inc.	KY	Pike Co. KY	09-CI- 01017	<ul style="list-style-type: none"> - Answer filed - Status conf 09/03 - Discovery initiated
50.	Skinner, v. Toyota Motor Sales, USA, Inc., et al.	KY	Trigg Co. KY	10-C1- 00037	<ul style="list-style-type: none"> - Answers filed - Toyota's responses to written discovery due 06/01 - Discovery initiated
51.	Alleman, et al., v. Toyota Motor Corporation, et al	LA	Ascension Parrish, LA	95438	<ul style="list-style-type: none"> - Answer to complaint pending
52.	Schneider, et al., v. Toyota Motor Sales USA, Inc., et al.	LA	Jefferson Parish LA	6730894	<ul style="list-style-type: none"> - Discovery initiated - TMS's responses to written discovery served
53.	Sims, v. Toyota Motor Sales, USA, Inc.	LA	Jefferson Parrish LA	685602	<ul style="list-style-type: none"> - Investigation initiated

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
54.	Hanover Insurance Company a/s/o Patricia Robinson v. Toyota Motor Sales USA Inc.	MA	Trial court of MA, Plymouth District Court, small claims session	1059SC 0386	- No discovery pending - No motions pending
55.	Shea v. Haddad Motor Group and Toyota Motor Sales USA Inc.	MA	Superior Court, Commonwealth of MA	BECV20 09-00365-A	- No discovery pending - No motions pending
56.	Kim, v. Toyota Motor Sales, U.S.A., Inc., et al.	MD	Circuit Court of Montgomery County MD	C-10-1673	- Not yet served

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
57.	Alberto, et al., v. Toyota North America, Inc., et al.	MI	Genessee Co. MI	09- 91973NP	<ul style="list-style-type: none"> - No scheduling order entered - No trial date - Written Discovery Served on all Toyota entities (TMC responded to First Interrogatories and RFP's on 3/30/10; TMS, TEMA, and TMMK responses to First Interrogatories and RFP's due 4/26/10; and TMS's response to 2nd Interrogatories and RFP's due 5/20/10) - Various Toyota Employee Depositions have taken place and more are scheduled for the immediate future. - Bastien (TMS corporate representative) on 5/18/10; Harold Clyde (TAG Engineer) on 5/18/10; Katsuhiko Koganei (TMS Employee – not a corporate representative) on 5/20/10; TMMK's corporate rep on a date to be determined; TMC's corporate representatives on a date to be determined. - Pending motions set for 5/10/10 Hearing: Toyota Defendants' Motion For Protective Order Prohibiting the Destruction and/or Alteration of the Subject Vehicle; Toyota Defendants' Motion to Compel Production of the Subject Vehicle for Inspection; Toyota Defendants Motion to Limit the Deposition of Harold Clyde; and Toyota Defendants Motion to Limit the Deposition of K. Koganei

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
58.	Leonard, v. Toyota motor Sales, USA, Inc., et al.	MI	Kent Co. MI	09-0302	<ul style="list-style-type: none"> - Companion case to <i>Herrell</i> - Early mediation unsuccessful - Plaintiffs' depositions schedules - Written discovery in progress
59.	Hemphill, v. Toyota Motor Corporation, et al.	NC	Guilford Co. NC	10CVS4 125	<ul style="list-style-type: none"> - Dealer has answered - TMS's Answer due 04/26 - No motions - Dealer served initial discovery, but no responses yet - No depositions scheduled
60.	Rudnick, v. Toyota Motor Sales, U.S.A., Inc.	NJ	Superior Court of New Jersey, Law Div. (Atlantic County)	L-1439- 10	<ul style="list-style-type: none"> - Original process served on TMS on 4/15/2010 - Answer due: 5/20/10
61.	Stetser, v. Toyota Motor Sales, U.S.A., Inc.	NJ	Superior Court of New Jersey, Law Div. (Camden County)	L-446-10	<ul style="list-style-type: none"> - Answer filed - Plaintiff has propounded written discovery and subpoenaed dealership records - Per pre-existing agreement with plaintiff's counsel's firm, standard ongoing extension to respond to discovery until case deemed trial candidate. - Plaintiff deposition: 6/10/10
62.	Matsis, et al., v. Toyota Motor North America, Inc., et al.	NV	District Court, Clark County, NV	A-10- 610254- C	<ul style="list-style-type: none"> - Not yet served

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
63.	Adirondack Insurance Exchange a/s/o Frederick Marks, v. Toyota Motor Sales, U.S.A., Inc.	NY	Supreme Court for the State of New York, County of New York	102490/10	<ul style="list-style-type: none"> - Pleadings not closed. - No discovery to date.
64.	Azizi, v. Ricardo Brown, et al.	NY	Supreme Court for the State of New York, County of Kings	17175/08	<ul style="list-style-type: none"> - Consolidated with <i>Champagne</i> case. - Pleadings not closed. - Written discovery and depositions underway. - No TMS depositions have been taken to date.
65.	Champagne, et al., v. Ricardo Brown, et al.	NY	Supreme Court for the State of New York, County of Kings	25273/08	<ul style="list-style-type: none"> - Pleadings not closed. - Written discovery and depositions underway. - No TMS depositions have been taken to date.
66.	Devieux, et al., v. Toyota Motor Corporation, et al.	NY	Supreme Court for the State of New York, County of Queens	16426/09	<ul style="list-style-type: none"> - Pleadings not closed. - Plaintiff has not served discovery on any Toyota entity.
67.	Fro Service Corp., v. Ricardo Brown And Toyota Motor Corporation	NY	Supreme Court for the State of New York, County of Kings	13778/08	<ul style="list-style-type: none"> - Consolidated with <i>Champagne</i> case. - Pleadings not closed. - Written discovery and depositions underway. - No TMS depositions have been taken to date.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
68.	Garcia, v. Chen, et al. Chen, v. Toyota Motor Company, et al.	NY	Supreme Court for the State of New York, County of Kings Supreme Court for the State of New York, County of Kings	21557/06 75175/10	<ul style="list-style-type: none"> - TMS recently joined as third-party defendant. - Discovery as to underlying case completed. - No discovery as to TMS has taken place.
69.	Kerins, et al., v. Toyota Motor Corporation, et al.	NY	Supreme Court for the State of New York, County of Nassau	10- 003851	<ul style="list-style-type: none"> - Pleadings not closed. - No discovery to date.
70.	Leong, Carol S., v. Toyota Motor Sales, U.S.A., Inc., et al.	NY	Supreme Court for the State of New York, County of Queens	550/10	<ul style="list-style-type: none"> - Pleadings not closed. - Written discovery underway. - No depositions of Toyota entities taken to date.
71.	Leong, Kong Iu, et al., v. Toyota Motor Sales, U.S.A., Inc., et al.	NY	Supreme Court for the State of New York, County of Queens	27718/09	<ul style="list-style-type: none"> - Pleadings not closed. - Written discovery underway. - No depositions of Toyota entities taken to date.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
72.	Leviten, v. Lexus, a Division of Toyota Motor Sales, U.S.A., Inc., et al. _____ Doukas, v. Iris Leviten, et al. _____ DiGirolamo, v. Iris Leviten	NY	Supreme Court for the State of New York, County of New York _____ Supreme Court for the State of New York, County of New York _____ Supreme Court for the State of New York, County of New York	107681/0 7 _____ 117118/0 7 _____ 102331/0 8	<ul style="list-style-type: none"> - Pleadings not closed. - Written discovery underway. - Deposition of TMS taken. - TMC just added as a defendant in the <i>Leviten</i> and <i>Doukas</i> case.
73.	Rimoli, v. Ray Catena Corp. et al.	NY	Supreme Court for the State of New York, County of Bronx	310456/0 8	<ul style="list-style-type: none"> - Pleadings still open. - Discovery underway. - Deposition of TMS taken but not completed. - Plaintiff filed motion for summary judgment on product defect and causation, and TMS filed cross-motion to for summary judgment.
74.	Schott, v. Toyota Motor Sales USA Inc.	NY	Supreme Court of the State of NY	104288/1 0	<ul style="list-style-type: none"> - Answer on behalf of TMS and Griffin Management Co, Inc d/b/a Lexus of Greenwich served 4/22/10 - No discovery has taken place - No motions pending

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
75.	Haas, et al., v. Toyota Motor Sales USA, Inc. et al.	OH	Lake Co. OH	09CV00 2577	<ul style="list-style-type: none"> - Discovery in progress - Plaintiffs' expert report due May 3
76.	Bookout, et al., v. Toyota Motor Corporation, et al.	OK	Oklahoma Co. OK	CJ-2008- 7969	<ul style="list-style-type: none"> - Written discovery exchanged - Vehicle inspected - No Toyota depositions requested - No trial date
77.	Baker, v. Toyota Motor Sales, U.S.A., Inc.	PA	Philadelphia Court of Common Pleas, PA	Feb. Term 2010, No. 001471	<ul style="list-style-type: none"> - Answer filed - Plaintiff has propounded written discovery and subpoenaed dealership records - Per pre-existing agreement with plaintiff's counsel's firm, standard ongoing extension to respond to discovery until case deemed trial candidate. - Plaintiff deposition: 6/24/10 - Court-required arbitration: 10/7/10
78.	Barlow, et al., v. Toyota Motor Sales, U.S.A. Inc.	PA	In the Court of Common Pleas of Allegheny County, PA	60-10- 007610	<ul style="list-style-type: none"> - Pleadings not closed. - No discovery to date.
79.	Coyle, et al., v. Toyota Motor Sales, U.S.A., Inc.	PA	Court of Common Pleas – Philadelphia County, Pennsylvania	005308 Novemb er Term, 2009	<ul style="list-style-type: none"> - Pleadings closed. - No discovery to date.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
80.	Hansberry, v. Toyota Motor Sales, U.S.A., Inc.	PA	Philadelphia Court of Common Pleas, PA	Nov. Term 2009, No. 002146	<ul style="list-style-type: none"> - Answer filed - Plaintiff has propounded written discovery and subpoenaed dealership records - Per pre-existing agreement with plaintiff's counsel's firm, standard ongoing extension to respond to discovery until case deemed trial candidate. - Plaintiff deposition: 5/5/10 - Vehicle Inspection: 5/11/10 - Court-required arbitration: 7/13/10
81.	Hobbs, v. Toyota Motor Sales, U.S.A., Inc.	PA	Court of Common Pleas – Philadelphia County, Pennsylvania		<ul style="list-style-type: none"> - Pleadings closed. - Initial discovery completed. - Responses to written discovery to TMS provided. - Arbitration award in favor of TMS. Plaintiff appealed arbitration award.
82.	Markowitz, v. Toyota Motor Sales, USA, Inc.	PA	Allegheny County Court of Common Pleas, PA	GD 10- 006840	<ul style="list-style-type: none"> - TMS was served with the complaint on 4/15/10
83.	Rodriguez, v. Toyota Motor Sales, U.S.A., Inc.	PA	Luzerne Court of Common Pleas, PA	No. 4223- 2010	<ul style="list-style-type: none"> - Original process served on TMS on 4/15/2010 - Answer due: 5/5/10

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
84.	Snyder, et al., v. Toyota Motor Sales, U.S.A., Inc.	PA	Philadelphia Court of Common Pleas, PA	Feb Term 2010, No. 001513	<ul style="list-style-type: none"> - Answer filed - Plaintiff has propounded written discovery and subpoenaed dealership records - Per pre-existing agreement with plaintiff's counsel's firm, standard ongoing extension to respond to discovery until case deemed trial candidate. - Court-required arbitration: 10/7/10
85.	Paty, v. Toyota Motor Engineering and Manufacturing North American, Inc., et al.	TN	Hamilton Co. TN	10C456	<ul style="list-style-type: none"> - Answer to complaint pending
86.	Rookard, v. Toyota Motor Corporation, et al.	TN	Campbell Co. TN	14678	<ul style="list-style-type: none"> - Awaiting service of complaint
87.	Early, et al., v. Toyota Motor Corporation, et al .	TX	Dallas Co. TX	10- 03683	<ul style="list-style-type: none"> - Federal court action dismissed without prejudice and refiled in Texas state court - Discovery initiated
88.	Fitts, et al., v. Toyota Motor Corporation	TX	Harrison Co. TX	2010- 8511- CCL	<ul style="list-style-type: none"> - Federal court action dismissed without prejudice and refiled in Texas state court - Discovery initiated
89.	Hall, v. Toyota Motor Sales, USA, Inc., et al.	TX	Galveston Co. TX	10-CV- 0462	<ul style="list-style-type: none"> - Answer filed - Written discovery in progress

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
90.	Harris, v. Toyota Motor Sales, USA, Inc., et al.	TX	Harris Co. TX	2010- 06628	<ul style="list-style-type: none"> - Scheduling order entered - Written discovery in progress - Plaintiffs' experts' reports due 08/25 - Toyota's experts' reports due 09/23 - Trial set 02/21/11
91.	Martinez, et al., v. Toyota Motor Corporation, et al.	TX	Bexar Co. TX	2010CI0 2353	<ul style="list-style-type: none"> - Answer due 04/28
92.	Oftadeh, v. Toyota Motor Corporation, et al.	TX	Harris Co. TX	2010- 07808	<ul style="list-style-type: none"> - Answer filed - Discovery initiated
93.	Pickney, v. Toyota Motor Sales USA, Inc., et al.	TX	Harris Co. TX	133	<ul style="list-style-type: none"> - TMS, TEMA, TMA's responses to written discovery due 04/19 - Plaintiffs' responses to written discovery due 04/19
94.	Rivers, et al., v. Toyota Motor Corporation, et al.	TX	Nueces Co. TX	10-484-F	<ul style="list-style-type: none"> - Answers filed - Written discovery pending - Possible Texas state MDL
95.	Simmons, v. Toyota Motor Corporation, et al.	TX	Brazoria Co. TX	56210	<ul style="list-style-type: none"> - Toyota initial disclosures due 04/19 - Initial written discovery served on plaintiff due 05/03
96.	Sorkin, v. McCall-TL, Inc. , et al.	TX	District of Harris County, Texas	2009- 32679	<ul style="list-style-type: none"> - No discovery to date.

EXHIBIT B

No	Case Name	State	Court/ Jurisdiction	Case No.	Current Status
97.	Thomas, v. Toyota Motor Sales, USA, Inc., et al.	TX	Harris Co. TX	2010- 07787	<ul style="list-style-type: none"> - Scheduling order entered - Written discovery in progress - Plaintiffs' experts' reports due 09/08 - Toyota's experts' reports due 10/07 - Trial set 02/21/11
98.	Youngblood, et al. v. Toyota Motor Corporation, et al.	TX	Montgomery Co. TX	10-03- 03090ev	<ul style="list-style-type: none"> - Answer pending - TMS initial disclosures due 05/28
99.	Hoosier, et al. v. Toyota Motor Sales, U.S.A. Inc.	VA	Circuit Court for the City of Henrico, State of Virginia	CL10- 482	<ul style="list-style-type: none"> - Pleadings closed. - Initial written discovery responses provided. - No depositions scheduled.

EXHIBIT B

EXHIBIT C

EXHIBIT C: Unrelated Cases

No.	Case Type	Case Name	District	Case No.	Current Status
1.	Antilock Brake Class Action	Choi, et al. v. Toyota Motor Corp., et al.	C.D. Cal.	8 :10CV00154	- Emergency application for remand filed - Motion for separate MDL filed with the JPML
2.	Antilock Brake Class Action	Creighton, et al., v. Toyota Motor Sales, U.S.A., Inc. et al.	C.D. Cal.	2:10-cv-00946	- Emergency Application for Remand filed April 27, 2010 pursuant to Judge Selna's 04/16/10 Order
3.	Antilock Brake Class Action	Del Real, v. Toyota Motor Sales, U.S.A., Inc.	C.D. Cal.	8:10-cv-00173	- Transferred and assigned to Judge Selna per his 4/14/10 Order No. 1 - Notice of Reassignment of case filed 04/12/10 - Emergency Application for Remand filed April 20, 2010 pursuant to Judge Selna's 4/16/10 Order - Motion for separate MDL filed with the JPML
4.	Antilock Brake Class Action	Griffin, v. Toyota Motor Corporation, et al.	M.D. Ala.	2:10-cv-00114	- Case stayed
5.	Antilock Brake Class Action	Li, v. Toyota Motor N. America, Inc., et al.	C.D. Cal.	2:10-cv-01248	- Transferred and assigned to Judge Selna per his 04/14/10 Order No.1 - Notice of Reassignment of case filed 04/12/10 - Order to Show Cause why case should not be remanded entered 4/27/10
6.	Antilock Brake Class Action	Stadler v. Toyota Motor North America, Inc	E.D. Ky.	2:10-cv-00030 □	- Case stayed on 3/10/10

EXHIBIT C

No.	Case Type	Case Name	District	Case No.	Current Status
7.	Antilock Brake Class Action	Scholten v. Toyota Motor Corp., et al.	N.D. Tex.	3:10-cv-00295 <input type="checkbox"/>	- Motion to transfer filed 4/23
8.	Transmission Class Action	Robinson v. Toyota Motor Sales U.S.A., Inc	N.D. Cal.	3:10-cv-01232 <input type="checkbox"/>	- Case filed 3/24/10
9.	Fuel Bladder Class Action	Gertz v. Toyota Motor Corp., et al.	C.D. Cal.	2:10-cv-01089 <input type="checkbox"/>	- Motion to dismiss filed - Notice of related actions filed (related to <i>Aberdeen v. Toyota</i> , 08-cv-01690 (C.D. Cal.))
10.	Rollover Class Action	Price, v. Toyota Motor Corporation, et al.	S.D. Miss.	3:10-cv-00235	- Complaint filed 4/23
11.	Securities Class Action	Kramer, v. Toyota Motor North America, Inc., et al.	C.D. Cal.	2:10-cv-01154	- Transferred to Judge Matz on 3-19-10 - Transferred and assigned to Judge Selna per his 4/14/10 Order No.1 - Notice of Reassignment of case filed 04/12/10 - Emergency Application for Remand filed April 19, 2010 pursuant to Judge Selna's 04/16/10 Order
12.	Securities Class Action	Mustric, v. Toyota Motor Corporation, et al.	C.D. Cal.	2:10-cv-01429	- Transferred to Judge Fischer on 3-10-10 - Motion to consolidate cases filed on 4-9-10 by counsel for proposed lead plaintiff - Judge Fischer issued 4-23-10 Order requiring a joint stipulation of counsel vying for lead plaintiff

EXHIBIT C

No.	Case Type	Case Name	District	Case No.	Current Status
13.	Securities Class Action	Squires, v. Toyota Motor Corporation, et al.	C.D. Cal.	2:10-cv-01452	<ul style="list-style-type: none"> - Transferred to Judge Fischer on 3-10-10 - Motion to consolidate cases filed on 4-9-10 by counsel for proposed lead plaintiff - Judge Fischer issued 4-23-10 Order requiring a joint stipulation of counsel vying for lead plaintiff
14.	Securities Class Action	Stackhouse v. Toyota Motor Corp., et al.	C.D. Cal.	2:10-cv-00922 □	<ul style="list-style-type: none"> - Motion to consolidate cases filed on 4-9-10 by counsel for proposed lead plaintiff - Judge Fischer issued 4-23-10 Order requiring a joint stipulation of counsel vying for lead plaintiff

EXHIBIT C