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Class Action Lawsuit Filed Against Toyota Over Alleged Throttle Control Defect

Posted by LexisNexis Litigation Center Staff

NEW YORK — **Richard J. Arsenault of Neblett, Beard & Arsenault**, along with co-counsel, said Feb. 5 that a class action lawsuit was filed against Toyota Motor Sales and Toyota Motor Corp. in the U.S. District Court for the Southern District of New York (Case No. 10 CIV 0900).

In the lawsuit, vehicle owners allege that Toyota concealed the true nature of the defect in their electronic throttle controls by initially claiming that their vehicles' sudden acceleration problems were caused by floor mats. In doing so, the suit alleges, Toyota engaged in deceptive conduct and breached expressed warranties.

The full text of the lawsuit can be viewed as a PDF [here](#) on the Web site of Neblett, Beard & Arsenault, <http://www.nbalawfirm.com/>.

Arsenault claims Toyota's alleged misconduct has had a serious financial impact on its customers, who have seen their car values drop radically after the recalls were announced.

The lawsuit seeks compensatory and punitive damages against Toyota. It alleges that Toyota breached implied warranties of merchantability by designing, manufacturing, distributing and selling vehicles after it became apparent they were defective.