

requested below.

JURISDICTION AND VENUE

5. This Court has jurisdiction pursuant to the Class Action Fairness Act of 2005, 28 U.S.C. §§ 1332(d), because the matter in controversy in this class action exceeds \$5,000,000, and because it is a class action in which members of the putative class are citizens of states different from defendant LG. Defendant LG is located in New Jersey, plaintiff is a resident of New York, and the members of the Class reside in New York.

6. Venue is proper in this District inasmuch as Defendant is headquartered in this District.

THE PARTIES

7. Plaintiff resides in Manorville, New York. Plaintiff purchased an LG front loading washing machine, model WM2277HW, in June 2005. Plaintiff's LG washing machine came with a one-year warranty. Plaintiff also purchased an extend warranty from the retailer. In approximately July 2006, the machine produced mold on a regular basis. Plaintiff arranged for the repair of her washing machine pursuant to her extended warranty. The repair person was unable to fix the machine so that the mold would not return, and advised plaintiff to periodically rinse her machine with bleach. In order to contain the mold, plaintiff must now wash her LG washing machine with bleach every month.

8. Defendant LG is a manufacturer of consumer electronics and home appliances, including washing machines. LG maintains its corporate headquarters at 1000 Sylvan Avenue, Englewood Cliffs, New Jersey.

CLASS ACTION ALLEGATIONS

9. Plaintiff brings this action as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure on behalf of herself and all others similarly situated who, on or after October 24, 2001, purchased, at retail price and for personal use, an LG front loading washing machine (the "Class"). Excluded from the Class are LG and its officers, directors, and employees. This class action seeks injunctive relief pursuant to Rule 23(b)(2).

10. Given the nature of the trade and commerce involved, members of the Class are so numerous that joinder of all members is impracticable. The exact number of class members and their addresses can be determined through appropriate discovery.

11. Common questions of law and fact exist as to all members of the Class and predominate over any questions affecting solely any individual members of the Class, including the following:

(a) whether the LG front loading washing machines contain a common design defect that causes them to develop mold and/or mildew with normal use;

(b) whether LG knew or should have known that its front loading washing machines contain such a common design defect and are not suitable for use as home washing machines;

(c) whether LG concealed from or failed to disclose material facts to plaintiff and the Class concerning such a common design defect;

(d) whether defendant's actions violated New York General Business Law Section 349;

(e) whether plaintiff and the members of the Class are entitled to damages; and

(f) whether defendant profited from the unlawful practices described herein.

12. Plaintiff's claims are typical of the claims of the Class, and plaintiff has the same

interests as the other class members.

13. Plaintiff will fairly and adequately represent and protect the interests of the Class. Plaintiff has retained able counsel with extensive experience in breach of contract, consumer fraud, and class action litigation. The interests of plaintiff are coincident with, and not antagonistic to, the interests of the other class members.

14. Defendant's misconduct alleged in this Complaint is generally applicable to, and indeed directly affects, the entire Class. Accordingly, final injunctive relief with respect to the Class as a whole is appropriate and warranted.

15. The prosecution of separate actions by individual members of the Class would create a risk of inconsistent or varying adjudications with respect to individual Class members, which would establish incompatible standards of conduct for defendant.

17. A class action is superior to other available methods for the fair and efficient adjudication of this controversy. Since the damages suffered by individual members of the Class may be relatively small, the expense and burden of individual litigation make it impossible for the members of the Class individually to redress the wrongs done to them. The Class is readily definable, and prosecution of this action as a class action will eliminate the possibility of repetitious litigation. Plaintiff will encounter no difficulty in managing this action as a class action.

SUBSTANTIVE ALLEGATIONS

18. According to its web site, LG is a "global leader and technology innovator in consumer electronics, home appliances and mobile communications, employing more than 72,000 people working in over 120 operations including 80 subsidiaries around the world. Comprising four business units -- Mobile Communications, Digital Appliance, Digital Display

and Digital Media with 2006 global consolidated sales of US \$48.5 billion -- LG Electronics is the world's largest producer of CDMA handsets, residential air conditioners, plasma panels, optical storage products, DVD players and home theater systems.” It is LG’s front loading washing machines, including model WM2277HW, that are the subject of this Complaint.

20. On information and belief, in addition to plaintiff, thousands of consumer purchasers of LG front loading washing machines have reported that the machines develop mold and mildew, and that neither LG nor repair services are able fix the problem.

21. The mold and mildew problem experienced by plaintiff and other purchasers of LG front loading washing machines is due to a common design defect. LG knew or should have known of the design defect at the time it sold these defective machines.

22. At no time has LG disclosed the mold and mildew design defect to purchasers of LG washing machines or to the general public.

23. LG continues to sell these defective machines.

COUNT I
VIOLATIONS OF NEW YORK GENERAL BUSINESS LAW 349

26. The allegations contained in each paragraph set forth above in this Complaint are incorporated by reference as if fully set forth herein.

27. Plaintiff and the members of the Class are consumers who purchased LG front loading washing machines for personal use. Plaintiff brings this action pursuant to New York General Business Law Section 349.

28. LG has engaged in deceptive practices in the sale of its front loading washing machines, including: (1) selling washing machines with a common design defect that causes mold and/or mildew to occur with normal use; and (2) failing to disclose and/or concealing this

known defect and risk.

29. Such actions and failures to act have caused direct, foreseeable, and proximate damages to plaintiff and the other members of the Class.

WHEREFORE, Plaintiff, on her own behalf and on behalf of the Class, prays for judgment, as follows:

(a) Declaring this action to be a proper class action and certifying plaintiff as a representative of the Class under Rule 23 of the Federal Rules of Civil Procedure;

(b) Ordering defendant to cease and desist from the sale of the defective front loading washing machines;

(c) Ordering defendant to establish a program to inspect, repair, and replace the defective front loading washing machines;

(d) Ordering defendant to reimburse members of the Class who have had to repair or replace the defective front loading washing machines;

(e) Ordering defendant to disgorge all profits made as a result of its sales of the defective front loading washing machines;


(f) Awarding plaintiff and class members their costs and disbursements incurred in connection with this action, including reasonable attorneys' and experts' fees, and other expenses incurred in prosecuting this action; and

(g) Granting pre-judgment interest and such other and further relief as the Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury.

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