

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMON LAW DIVISION
GROUP PROCEEDINGS LIST

S ECI 2022 00739

BETWEEN:

**TINA LOMBARDO (and Ors according to the attached
schedule)**

Plaintiffs

- and -

**DERMATOLOGY AND COSMETIC SURGERY
SERVICES PTY LTD (and Ors according to the attached
schedule)**

Defendants

ORDER

JUDGE	The Honourable Justice Keogh
DATE MADE:	19 December 2025
ORIGINATING PROCESS:	Amended Writ filed 6 April 2023
HOW OBTAINED:	At case management conference on 1 December 2025
ATTENDANCE:	C Truong KC with T Quinn, counsel for the plaintiffs L Warren, solicitor appearing for the first defendant A McClelland KC with A Christopherson, counsel for the second defendant M Hooper SC with M McLay, counsel for the third to sixth defendants R Singleton, counsel for the eighth defendant
OTHER MATTERS:	A. I have read the following affidavits and materials: <ul style="list-style-type: none">a) Affidavits of Lydia Tawse regarding opt out sworn 13 October 2025, 5 November 2025, 12 November 2025, 28 November 2025 and 10 December 2025;b) Affidavit of Leonard Warren affirmed 13 November 2025 ('Warren affidavit'); andc) Email of Leonard Warren to my Chambers dated 19 November ('Warren email') B. The claim is for loss and damage to group members in the context of cosmetic surgery being



performed on them by one or more of the second to seventh defendants for payment made to the first defendant.

C. The Warren affidavit and email shows there are approximately 13,000 potential group members in the period from 2005 to the closure of the first defendant's business in 2021. There are email addresses or mobile phone numbers for all bar 179 of those persons. There are physical mailing addresses for about 12,780 of the potential group members. There is no guarantee the contact information for potential group members is current.

D. There is no current information for potential group members who had cosmetic surgery performed by the defendants before 2005.

E. I am satisfied that the distribution regime provided by the orders will result in the Opt Out and Registration Notice coming to the attention of most group members.

F. It is desirable that the prospect of mediation being successful should be maximised. The certainty achieved by resolution of the proceeding at mediation would be of obvious benefit to the parties when compared to the uncertainty associated with this complex litigation should it proceed to a lengthy trial.

G. The size of the open class and quantum of the individual claims is uncertain. I accept that settlement will be difficult to achieve at mediation with an open class.

H. The registration process will not be overly burdensome on group members.

I. I am satisfied that the soft class closure orders:

- a) will significantly increase the prospects of mediation being successful; and
- b) are in the interests of the parties and group members.

THE COURT ORDERS THAT:

Pleadings

1. Within 7 days of determination by Justice Keogh of the amendments to be made to the Second Further Amended Statement of Claim ('2FASOC'), in order to comply with paragraph 3 of the Court of Appeal's Orders made 19 September 2025 in the judgment in *Lanzer v Lombardo* [2025] VSCA 229, the plaintiffs file and serve a 2FASOC to reflect those amendments.



2. Within 28 days of the plaintiffs filing and serving the 2FASOC pursuant to Order 1, the defendants may file and serve defences to the 2FASOC, marked so as to identify the amendments to the preceding defences in accordance with rr 36.05, 36.06 of the *Supreme Court (General Civil Procedure) Rules 2025* ('Rules').
3. The hearing date of 16 February 2026 for hearing of the first defendant's amended summons dated 13 March 2025 and the second defendant's amended summons dated 10 November 2025 is vacated and relisted on 23 February 2026.

Discovery

4. The defendants shall make discovery of the documents in accordance with the categories, which were determined by the discovery ruling of Associate Justice Goulden dated 1 May 2025 and as have otherwise been agreed to between the parties in Schedule B to the Orders dated 2 September 2025.

Affidavits of discovery

5. Discovery shall be made by each party serving an affidavit in Form 29B and that is compliant with r 29.04 of the *Rules* and production of documents to be in accordance with the Electronic Document Exchange Protocol agreed between the parties as follows:
 - (a) By 19 December 2025, the second defendant shall file and serve a second affidavit of documents in relation to the H Drive documents on the second defendant's computer and produce such documents for inspection.
 - (b) By 27 February 2026, the second defendant shall file and serve a third affidavit of documents in relation to all other documents which must be discovered, except those documents referred to in Orders 5(c) and 5(e) below, and produce such documents for inspection.
 - (c) As soon as practicable, and by no later than 6 March 2026, the second defendant shall file and serve a fourth affidavit of documents in relation to any relevant data stored on the second defendant's mobile phone and produce such documents for inspection. In the event that the data cannot be extracted by that date, the second defendant's solicitors must file and serve an affidavit



outlining what further steps have been taken since the Affidavit of Cindy Tucker sworn 27 November 2025 to extract the data.

- (d) By 13 March 2026, the first defendant shall file and serve an affidavit of documents and produce such documents for inspection.
 - (e) In accordance with the determination to be made by Justice Keogh of variation to categories 19, 20 and 21 of discovery listed in Annexure B to Associate Justice Goulden's discovery Orders made 15 May 2025 by reason of the effect of the reasons for judgment in *Lanzer v Lombardo* [2025] VSCA 229, the defendants are to make discovery concerning such categories, by filing and serving an affidavit of documents and producing such documents for inspection by 13 March 2026.
6. By 27 March 2026, the parties provide to the chambers of Associate Justice Goulden a list of any unresolved issues related to discovery, with a brief statement of each party's position in relation to each item on the list for determination by Associate Justice Goulden.

Opt out notices

7. The Orders of 20 November 2025 are vacated.
8. The form and content of the Opt Out Notice, Abridged Notice and correspondence by way of email and SMS to potential group members as set out in Annexures A, B and C to these Orders respectively are approved pursuant to ss 33X(1)(a), 33Y of the *Supreme Court Act 1986* (Vic).
9. The Notice and Abridged Notice is given to group members on or before 20 February 2026 by:
- (a) a copy of the notice being distributed in accordance with Order 9;
 - (b) Maddens Lawyers sending a copy of the notice by electronic mail to the address of:
 - (i) each person who has registered their interest in the proceedings with Maddens Lawyers; and



- (ii) any unregistered person known to Maddens Lawyers;
 - (c) uploading a copy of the Notice on the Maddens Lawyers website www.maddenslawyers.com.au;
 - (d) e-mailing a copy of the Notice to the Registry of the Supreme Court of Victoria for publication on the Supreme Court of Victoria's website;
 - (e) placing the Abridged Notice in posts issued on the Facebook and Instagram pages of Maddens Lawyers on 25 February and again on 18 March and 2 April 2026; and
 - (f) causing a paid advertisement in the form of the Abridged Notice to be advertised on Facebook, Facebook Messenger and Instagram in accordance with paragraph 27(c) of the Eleventh Affidavit Lydia Margaret Tawse sworn 12 November 2025.
10. Order 9(a) is complied with by the following procedure:
- (a) by 11 February 2026 Maddens Lawyers instruct the relevant third-party mailing houses:
 - (i) to send the Notice by no later than 20 February 2026 by e-mail and SMS to each person identified in the confidential list with an e-mail address and mobile phone number provided by the first defendant on 27 November 2025 to the mailing houses engaged by the plaintiffs;
 - (ii) in the event that there is no known e-mail or mobile phone number or there is an SMS and e-mail delivery failure, to send the Abridged Notice to the person by ordinary pre-paid post.
11. The time and date before which a group member may opt out of the proceeding is 4.00pm (AEST) on 10 April 2026 ('Notice Deadline').
12. If, on or before the Notice Deadline, Maddens Lawyers receive a notice purporting to be an opt-out form referable to this proceeding, Maddens Lawyers must provide the notice to the Registry within 7 days of receipt and the notice shall be treated as an opt out received by the Court at the time it was received by Maddens Lawyers.



13. From 13 April 2026, the parties have leave to inspect the Court file and copy any opt out forms.
14. The reasonable costs of and incidental to the procedures set out at Orders 9 and 10 be paid initially by the plaintiffs, on the basis that the costs will subsequently fall to be dealt with by the Court as costs in the cause.

Registration

15. Pursuant to ss 33Z(f) and 33Z(a) of the *Supreme Court Act 1986* (Vic), any group member who wishes to obtain a benefit from any settlement (subject to court approval) of the proceeding reached by 14 August 2026 must register their claim by the Notice Deadline ('Registered Group Member').
16. The solicitors for the plaintiffs may register a group member who is already known to them as having expressed interest in the proceeding.
17. A Group Member may register their claim by:
 - (a) completing an online registration process hosted on a website by the solicitors for the plaintiffs; or
 - (b) returning a completed Group Member registration form in the form of Schedule 1 to the Notice by post or email to the addresses indicated on the form.
18. Pursuant to section 33ZG of the Act and subject to any further order of the Court, any Group Member who does not register or opt out of the proceeding in accordance with the manner provided for in these Orders by the Notice Deadline:
 - (a) will remain a Group Member in this proceeding for all purposes including for the purpose of being bound by any judgment in this proceeding and being bound by the terms (including releases) of any approved settlement agreement in the proceeding; and
 - (b) shall not, without leave of the Court, be permitted to seek any benefit pursuant to any in-principle settlement (subject to the approval of the Court) of this proceeding reached before 14 August 2026.



Lay evidence

19. Subject to any order of the trial Judge, evidence in the trial is given orally with the parties providing a witness outline for each witness they intend to call.
20. By 6 February 2026, the first defendant is to inform the plaintiffs whether or not it intends to make any injunction application regarding Justin Nixon and Lauren Hewish giving evidence.
21. Any injunction application the first defendant wishes to make in relation to Order 20 must be made by 13 February 2026 ('First Defendant's Application') together with an affidavit in support of any such application and submissions.
22. The plaintiffs are to file and serve any affidavit material and submissions in response to the First Defendant's Application by 27 February 2026.
23. If the first defendant makes the First Defendant's Application, the hearing of that application is to take place by 13 March 2026.
24. If the First Defendant's Application is not made, by 13 March 2026, the plaintiffs file and serve the witness outlines of Justin Nixon and Lauren Hewish.
25. By 20 March 2026, each defendant file and serve their witness outlines.
26. Each witness outline is to satisfy the following requirements:
 - (a) it should be set out in numbered paragraphs;
 - (b) it should be a brief outline of the evidence the witness will give;
 - (c) it must clearly identify the topics in respect of which evidence will be given and the substance of that evidence, including the substance of each important conversation; and
 - (d) it should identify the documents which the party filing the witness outline intends (at the time of filing and serving the outline) to tender into evidence through that witness. The documents should be referred to chronologically in the body of the witness outline or, if not possible, listed in chronological order in a schedule to the witness outline.



27. The content of a witness outline served pursuant to an order of the Court is subject to the same implied undertaking as to confidentiality as applies to a document produced upon discovery.
28. No person may use any part of the contents of a witness outline for the purposes of cross-examination of the person providing the witness outline or any other person without leave of the trial judge.
29. Each party have available for use by the Judge a copy of all their witness outlines in hardcopy and electronic form.

Expert evidence

30. By 27 February 2026, the plaintiffs file and serve any expert evidence intended to be relied upon in chief at trial together with the letters of instruction to each expert they have engaged and a list of the documents provided to that expert.
31. By 17 April 2026, the defendants file and serve any expert evidence intended to be relied upon in chief at trial together with the letters of instruction to each expert they have engaged and a list of the documents provided to that expert.
32. By 11 May 2026, the plaintiffs file and serve any reply expert evidence intended to be relied upon at trial together with the letters of instruction to each expert they have engaged and a list of the documents provided to that expert.

Particulars of special damage

33. By 27 February 2026, the plaintiffs file and serve particulars of special damages, loss of earnings and loss of earning capacity, along with supporting documentation, for the first to fourth plaintiffs.

Common questions

34. By 10 April 2026, the plaintiffs serve any revised draft list of common questions and legal and factual issues for determination at trial.
35. By 17 April 2026, the defendants serve any response to the revised draft list of common questions and legal and factual issues for determination at trial.



36. By 24 April 2026:

- (a) the plaintiffs file and serve any agreed list of common questions and legal and factual issues for determination at trial;
- (b) any party who seeks any further or different common questions or legal or factual issues to be determined at trial, file and serve a list of such questions and issues.

Mediation

- 37. The proceeding is listed for a mediation case management conference on 31 March 2026 before Associate Justice Gobbo.
- 38. Pursuant to s 66 of the *Civil Procedure Act 2010* (Vic) the proceeding is referred to Associate Justice Gobbo for judicial mediation, to be held on 14 and 15 May 2026, with 24 June 2026 reserved if required.
- 39. The solicitors for the plaintiffs deliver to Associate Justice's Gobbo's chambers a copy of this Order, all pleadings (including further particulars and the proposed 2FASOC) and a copy of any other relevant information as agreed.
- 40. The parties take all steps necessary to ensure the judicial mediation commences as soon as practicable.
- 41. Those persons who have the ultimate responsibility for deciding whether to settle the dispute and the terms of any settlement, and the legal representatives who have ultimate responsibility to advise the parties in relation to the dispute and its settlement attend the judicial mediation.

Subpoenas

- 42. By 1 June 2026, any subpoena under Order 42A of the *Supreme Court Civil Procedure Rules 2018* (Vic) must be issued.

Expert witness conclaves

- 43. By 29 May 2026, the parties confer and seek to agree upon the following matters in respect of expert witness conclaves:



- (a) the experts who will participate in each conclave and conclave dates;
 - (b) the facilitator for each conclave; and
 - (c) the topics, documents and assumptions to be provided to the experts.
44. In the event the parties are unable to reach agreement as to the matters in Order 43, the parties provide to Justice Keogh's chambers a marked-up document(s) identifying the parties' competing positions and written submissions in support of the party's position limited to 5 pages and the Court determine the final form of the expert witness conclave documents.
45. By 26 June 2026, the experts participate in expert witness conclaves.
46. By 17 July 2026, the experts of each conclave prepare a Joint Expert Report identifying the following:
- (a) the issues on which the experts agree;
 - (b) the issues on which the experts disagree including a succinct statement of their respective position; and
 - (c) any issue or question on which the experts are (or any one of them is) unable to provide an opinion on, as the subject matter falls outside the ambit of their area of expertise.

Trial

47. The trial listed on 1 June 2026 be vacated and the proceeding be refixed for trial on 14 September 2026 and continue for two weeks, excluding Monday 21 September 2026, and then resume on 5 October 2026 and continue for the remaining eight weeks.
48. In order to secure the trial date, the setting down and hearing fees be paid in accordance with the *Supreme Court (Fees) Regulations 2018* (Vic).
49. Any application to vacate or adjourn the trial date be made as soon as it is known that the trial is not ready to proceed on the date fixed.



50. Any party must promptly notify the court on becoming aware of any circumstance that significantly affects the length of the trial estimate.

Other

51. The proceeding is listed for a Case Management Conference on 23 February 2026.
52. Until further order, with such orders being made after reasonable notice is provided to the solicitors for the seventh defendant, the seventh defendant is excused from complying with Orders 1-2 and 4-50 inclusive.
53. The seventh defendant's right to seek any further costs of the proceeding which arise by reason of the fact that he remains a party for the purposes of the first to sixth and eighth defendants' proportionate liability defences is expressly reserved.
54. Costs in the proceeding.

DATE AUTHENTICATED:

19 December 2025



THE HONOURABLE JUSTICE KEOGH



SCHEDULE OF PARTIES

S ECI 2022 00739

BETWEEN:

TINA LOMBARDO

First Plaintiff

TINA BONNICI

Second Plaintiff

SIMONE RUSSELL

Third Plaintiff

JULIE ROSE MORRISON

Fourth Plaintiff

and

**DERMATOLOGY AND COSMETIC SURGERY SERVICES PTY LTD
(ACN 055 927 618)**

First Defendant

DANIEL LANZER

Second Defendant

DANIEL ARONOV

Third Defendant

**JAQUELINE DARBYSHIRE and TONY DARBYSHIRE (in their capacity as the legal
personal representatives of the estate of Daniel Darbyshire)**

Fourth Defendant

RYAN WELLS

Fifth Defendant

ALIREZA FALLAHI

Sixth Defendant

GEORGE SHU-KHIM WONG

Seventh Defendant

CANDICE WAINSTEIN

Eighth Defendant



SUPREME COURT OF VICTORIA



NOTICE TO GROUP MEMBERS:

REGISTRATION & OPT OUT NOTICE

DR LANZER CLASS ACTION

*Lombardo & Ors v Dermatology and Cosmetic Surgery
Services Pty Ltd & Ors (S ECI 2022 00739)*

THIS NOTICE IS SENT BY ORDER OF THE SUPREME COURT OF
VICTORIA.

**IT IS IMPORTANT THAT YOU READ THIS NOTICE CAREFULLY
BECAUSE IT MAY AFFECT YOUR LEGAL RIGHTS.**

THE NOTICE DEADLINE IS 4:00PM (AEST) ON 10 APRIL 2026



OPT OUT AND REGISTRATION NOTICE

DR LANZER CLASS ACTION

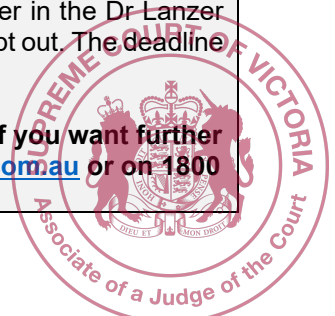
Lombardo & Ors v Dermatology and Cosmetic Surgery Services Pty Ltd & Ors (S ECI 2022 00739)

**THIS NOTICE IS VERY IMPORTANT AND IS ISSUED PURSUANT TO AN ORDER OF THE
SUPREME COURT OF VICTORIA – PLEASE READ IT CAREFULLY**

A. SUMMARY – WHY ARE YOU RECEIVING THIS NOTICE?

1. This notice has been issued pursuant to an order of the Supreme Court of Victoria. It is about a group proceeding called the ‘Dr Lanzer Class Action’.
2. The Supreme Court has ordered that this notice be published for the information of persons who might be group members on whose behalf the group proceeding is brought and who may be affected by it. If you have been sent this notice, you may be a “**Group Member**”.
3. On 9 March 2022, Ms Tina Lombardo (**First Plaintiff**) commenced this group proceeding or “class action” in the Supreme Court of Victoria, subsequently joined by Ms Tina Bonnici (**Second Plaintiff**), Ms Simone Russell (**Third Plaintiff**) and Ms Julie Rose Morrison (**Fourth Plaintiff**), against the following entities and/or medical practitioners:
 - Dermatology & Cosmetic Surgery Services Pty Ltd (**DCSS or the First Defendant**);
 - Daniel Lanzer (**the Second Defendant**);
 - Daniel Aronov (**the Third Defendant**);
 - Daniel Darbyshire (**the Fourth Defendant**);
 - Ryan Wells (**the Fifth Defendant**);
 - Alireza Fallahi (**the Sixth Defendant**);
 - George Shu-Khim Wong (**the Seventh Defendant**); and
 - Candice Wainstein (**the Eighth Defendant**).(collectively the ‘**Defendants**’).
4. In summary, the Plaintiffs claim on their own behalf and on behalf of all persons for loss or damage based on negligence, breach of contract or consumer law breaches in the context of cosmetic surgery being performed on them by one or more of the Second to Seventh Defendants for payment made to the First Defendant. The services were provided at locations in Australia known as ‘the Lanzer Clinics’.
5. **Note:** Although the Plaintiffs no longer pursue claims against Dr Wong, he remains a defendant in the proceeding for the purposes of apportionment defences by the other defendants. Persons who underwent cosmetic surgery performed by Dr Wong remain within the group definition if they meet the other elements of the pleaded definition of a Group Member as set out in Part B of this notice.
6. Read Part B to work out if you are a Group Member. Group Members have **THREE OPTIONS**:
 - (a) **Register to remain in this Class Action:** The deadline to register your claim is **4:00pm (AEST) on 10 April 2026**. If you register, you will be bound by the outcome of the class action. You must register if you wish to be eligible to claim money from any settlement reached between the plaintiffs and the defendants to settle the class action at any point up until the day prior to the commencement of trial of the Dr Lanzer Class Action.
 - (b) **Do nothing:** If you do nothing in response to this Notice, you will remain as a non-registered Group Member in the class action but, subject to any further order of the Court, you will not be permitted to participate in any settlement reached. You will be bound by such a settlement.
 - (c) **Opt Out of the Class Action:** If you no longer wish to be a Group Member in the Dr Lanzer Class Action, this Notice provides you with information about how you can opt out. The deadline to opt out is **4:00pm (AEST) on 10 April 2026**.

Any questions you have about this Notice should not be directed to the Court. If you want further information, you can contact Maddens Lawyers at drlanzer@maddenslawyers.com.au or on 1800 139 290 or seek independent legal advice.



Annexure A – Proposed Notice

B. EXPLANATORY MEMORANDUM

What is a Class Action?

7. A group proceeding or “class action” is a legal action brought by the Plaintiffs on their own behalf and on behalf of a group of other people (Group Members) against the Defendants where the Plaintiffs and the Group Members have similar claims against the Defendants.
8. Group Members are bound by any judgment or settlement entered into in the class action unless they choose not to participate by “opting out” of the proceeding. This means that:
 - (a) if the class action is successful or settles, Group Members may be eligible for a share of any settlement monies or to benefit from any trial decided in favour of the Plaintiffs.
 - (b) if the class action is unsuccessful, Group Members are bound by that result; and
 - (c) regardless of the outcome of the class action, represented parties will not be able to pursue their claims against the Defendants in separate legal proceedings unless they have opted out.

What is the Dr Lanzer Class Action?

9. The Defendants provided cosmetic surgery services from various locations, including but not limited to:
 - 30-32 Glenferrie Road, Malvern, Victoria (**Malvern Clinic**);
 - 3/276-278 Pitt Street, Sydney, New South Wales (**Sydney Clinic**);
 - 573 Crown Street, Surry Hills, New South Wales (**Surry Hills Day Hospital**);
 - 11 Hayling Street, Salisbury, Queensland (**Brisbane Clinic**);
 - Shop 3/2633 Gold Coast Highway, Broadbeach, Queensland (**Gold Coast Clinic**);
 - 1/863 Wellington Street, West Perth, Western Australia;
 - 38 Meadowvale Avenue, South Perth in Western Australia (**Southbank Day Hospital**);
 - 1A/1 Roydhouse Street, Subiaco, Western Australia (**Academy Day Hospital**).
10. Amongst other things, the Plaintiffs allege that DCSS, Dr Lanzer, Dr Daniel Aronov, Dr Daniel Darbyshire, Dr Ryan Wells and Dr Alireza Fallahi engaged in, or were involved in or party to, misleading or deceptive conduct by making certain representations with respect to their surgical training and experience, and their pre-eminence and excellence in the provision of cosmetic surgery. It is also alleged that the Defendants performed cosmetic surgeries that were not fit for purpose, failed to undertake cosmetic surgeries with due care and skill and that the surgeries were undertaken in a negligent manner.
11. The Plaintiffs rely on four causes of action, being:
 - (a) misleading or deceptive conduct under the *Australian Consumer Law (ACL)*;
 - (b) negligence;
 - (c) non-compliance with the statutory guarantees as to fitness for purpose or due care and skill under the ACL; and
 - (d) breach of contract.
12. The class action seeks on behalf of the Plaintiffs and Group Members a full refund of the price paid for the cosmetic surgery, compensation for pain and suffering, and distress and disappointment, compensation for consequential losses such as expenses associated with after-care, rectification surgery or loss of income as well as interest and legal costs.

Are you a Group Member?

13. To be eligible to participate in the class action you must have:
 - (a) undergone cosmetic surgery by one or more of Dr Daniel Lanzer, Dr Daniel Aronov, Dr Daniel Darbyshire, Dr Ryan Wells, Dr Alireza Fallahi and/or Dr George Wong; and



Annexure A – Proposed Notice

- (b) made a payment to DCSS for the cosmetic surgery; and
 - (c) suffered loss or damage (including an injury which may be physical or psychiatric or both) in the context of the cosmetic surgery being performed; and
 - (d) have a claim based on misleading and deceptive conduct, negligence, breach of contract or consumer law.
14. If you fit this description, then you are a member of the group on whose behalf the class action is brought, and you are defined as a **'Group Member'**. If you would like further information as to whether you may be a Group Member in the class action please contact Maddens Lawyers at drlanzer@maddenslawyers.com.au or by calling 1800 139 290.

What is Opt Out?

15. Plaintiffs in a class action do not need to seek the consent of Group Members to commence the class action on their behalf. However, Group Members can cease participating in the class action by "opting out". If you are a Group Member in the Dr Lanzer Class Action but you do not want to continue to be a represented party, you can opt out now.
16. An explanation of how to opt out is provided **below**.

C. YOUR OPTIONS – WHAT SHOULD GROUP MEMBERS DO?

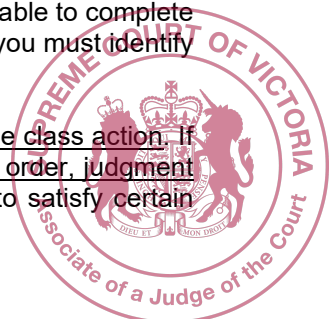
17. If you fit the definition of a 'Group Member' in the class action, the following three options are available to you. If you wish to remain a Group Member, you can choose **Option 1** or **Option 2** below. If you do not wish to participate in the class action as a group member, you should choose **Option 3**.

Option 1: Register

18. **If you are already a registered Group Member**, there is nothing you need to do. You have already registered if you have:
- (a) provided your name and contact details in the Dr Lanzer Class Action via the registration form or using Maddens' registration portal on its website; or
 - (b) signed an agreement for Maddens to represent you in the Dr Lanzer Class Action.
19. If you are unsure whether you are registered, please contact Maddens Lawyers at drlanzer@maddenslawyers.com.au or on 1800 139 290.
20. **If you are an unregistered Group Member**, and you wish to register, you must do so with Maddens Lawyers by either:
- a. completing the Dr Lanzer Class Action Registration Form available at <https://maddenslawyers.com.au/class-actions/dr-lanzer-class-action/>; **OR**
 - b. completing the Registration Form found at **Schedule 1** of this Notice and submitting a copy to Maddens Lawyers by email or post at the addresses found on the Form.

Forms must be completed and be provided to Maddens BEFORE 4:00pm (AEST) on 10 April 2026. Maddens' contact details are stated in the form.

21. If you are the parent or guardian of a person who is a Group Member but is not able to complete their own registration, or if you are registering on behalf of a deceased estate, you must identify the other person on the registration form.
22. Group Members who register with Maddens will be bound by the outcome of the class action. If the class action is successful, you will be entitled to share in the benefit of any order, judgment or settlement in favour of the Plaintiffs and Group Members. You may have to satisfy certain



Annexure A – Proposed Notice

conditions and establish elements of your claim that are relevant specifically to you before your entitlement arises. You can choose to retain Maddens Lawyers, or other solicitors, to help you do this.

23. If the Dr Lanzer Class Action is unsuccessful or is not as successful as you might have wished, you will not be able to sue on the same claim in any other proceeding.
24. If you wish to remain a Group Member, even if you do not wish to retain Maddens Lawyers to act for you as a client, you may wish to contact Maddens to “register” as a Group Member to ensure that future notices about the class action can be sent to you, or your legal representative, directly.

Option 2: Do Nothing

25. **If you do not register your claim by the deadline of 4:00pm (AEST) on 10 April 2026**, then if there is a settlement of the class action by 14 August 2026, the Plaintiffs intend to apply to the Court for an order which if approved by the Court means you will **not be permitted to claim a share of the settlement** payment as compensation for your injury or loss without leave of the Court. Only Group Members who have registered will be permitted to claim compensation from a settlement by 14 August 2026.
26. If a settlement is proposed, notices like this one will be emailed out and published on the Supreme Court website. You will have an opportunity to oppose the settlement. But if the settlement is ultimately approved by the Court, **you will be bound by the settlement**, and you will not be able to start your own legal proceedings against the Defendants in relation to cosmetic surgery services performed by one or more of the Defendants for payment to the First Defendant.
27. However, if there is no settlement and the class action proceeds to judgment and is successful you will be able to share in the proceeds of a judgment whether you are registered or unregistered.

Option 3: Opt Out

28. **If you do not wish to be a Group Member**, you should opt out of the class action by completing the “Opt Out Notice” below. If you opt out, then you will cease to be a Group Member and will not be affected by any orders made in the class action. If you are a Group Member who has validly opted out of the group proceeding, there is nothing you need to do.
29. The Dr Lanzer Class Action has currently suspended limitation periods that are applicable to your claim. However, time will start to run again if you opt out. Therefore, if you opt out, you will have a limited period of time to bring your own claim should you wish to do so. If you are considering bringing your own claim, you should seek independent legal advice about your claim and the applicable time limit prior to opting out.
30. **You must decide what to do BEFORE 4:00pm (AEST) on 10 April 2026.** If you want to opt out, you must either:
 - a. complete and submit an ‘Online Opt Out’ through the Supreme Court of Victoria website at: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/dr-lanzer-class-action/opting-out>
 - b. complete the “Opt Out Notice” found at **Schedule 2** of this Notice and submit a copy to the Registry of the Supreme Court of Victoria by email to drlanzerclassaction@supcourt.vic.gov.au or post at the address found on the form so that it arrives before that deadline.
31. **It is very important that you act promptly** in deciding what you want to do. If you are not sure whether you are a Group Member, or you want further information or advice, you can contact Maddens Lawyers.
32. Please **do not** contact the Supreme Court for advice.



Annexure A – Proposed Notice

D. WILL YOU BE LIABLE FOR COSTS?

33. **Group members are not, and will not be, liable for any legal costs simply by remaining as Group Members.** Group Members in a class action are not legally liable for the legal costs associated with bringing the proceeding.
34. All of the Plaintiffs' costs associated with running the class action will be borne by Maddens Lawyers, unless there is a successful outcome. This is called a 'conditional' fee arrangement. There is no third-party litigation funder involved in the Dr Lanzer Class Action.
35. In the event that there is not a successful outcome to the Dr Lanzer Class Action, Group Members will not be liable to pay any costs. This includes the Defendants' costs of defending the class action, and the costs of Maddens Lawyers running the class action on behalf of the Plaintiffs.
36. However, if the class action is successful and there is a judgment or settlement that results in compensation becoming payable to represented parties, then:
- (a) The Defendants may be ordered to pay some or all of the Plaintiffs' costs of running the class action.
 - (b) If the preparation or finalisation of your individual claim requires work to be done in relation to issues that are specific to your claim, you can engage Maddens Lawyers or other solicitors to do that work for you. You may be liable for costs associated with the determination of issues concerned only with your claim.
 - (c) If any compensation becomes payable to you as a result of any order, judgment or settlement in the class action, the Court may make an order that some of that compensation be used to help pay a share of the costs which are incurred by the Plaintiffs in running the class action but which are not able to be recovered from the Defendants. The Plaintiffs will ask the Court to make such an Order if the occasion arises.
 - (d) The Court will independently decide what amount of legal costs is reasonable to be recovered by Maddens Lawyers before the remainder of the judgment or settlement sum is distributed to Group Members. The Court may reduce the amount of legal costs that can be paid to Maddens Lawyers if it considers this is fair. Deductions for legal costs will never exceed a Group Member's recovery.
 - (e) Class actions are often settled out of Court. If this occurs in this proceeding, you may be able to claim from the settlement amount without retaining a lawyer.

E. WHERE CAN YOU OBTAIN FURTHER INFORMATION?

37. Please consider the above matters carefully. If you are not sure whether you are eligible to participate in the class action or want further information, you can contact Maddens Lawyers at drlanzer@maddenslawyers.com.au or on **1800 139 290** or seek independent legal advice.
38. Copies of relevant documents including the Plaintiffs' Statement of Claim and the Defendants' Defences may be obtained by viewing them on:
- (a) Maddens Lawyers' website: <https://maddenslawyers.com.au/class-actions/dr-lanzer-class-action/>.
 - (b) The website of the Supreme Court of Victoria on the group proceedings page: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/dr-lanzer-class-action>
39. You should not delay in making your decision, as the deadline for opting out is **4:00pm (AEST) on 10 April 2026**.
40. The Supreme Court should **not** be contacted for legal advice.



Annexure A – Proposed Notice

41. This notice is published pursuant to Orders made by the Supreme Court of Victoria on 19 December 2025.

SCHEDULE 1
OPTION 1: REGISTRATION FORM

DR LANZER CLASS ACTION

Lombardo & Ors v Dermatology and Cosmetic Surgery Services Pty Ltd & Ors (S ECI 2022 00739)

ONLY COMPLETE THIS FORM IF YOU WANT TO **REGISTER** FOR THE DR LANZER CLASS ACTION

Please complete a separate form for each Group Member who wishes to **register**.

Details of the group member

Name of Group Member (print):

Address of Group Member:

.....

.....

Email of Group Member:

The abovenamed Group Member registers as a Group Member entitled to participate in any settlement of the proceeding.

Details of the person completing this form

Dated:

Signed:

Name of person signing (print name)

.....

Telephone

Postal address

.....

.....

Maddens Lawyers needs to receive this form BEFORE 4:00pm (AEST) on 10 April 2026.

Please send completed forms to:

Maddens Lawyers
219 Koroit Street
Warrnambool VIC 3280



Annexure A – Proposed Notice

Email: drlanzer@maddenslawyers.com.au



Annexure A – Proposed Notice

SCHEDULE 2
OPTION 3: OPT OUT NOTICE

DR LANZER CLASS ACTION

Lombardo & Ors v Dermatology and Cosmetic Surgery Services Pty Ltd & Ors (S ECI 2022 00739)

ONLY COMPLETE THIS FORM IF YOU WANT TO **OPT OUT** OF THE DR LANZER CLASS ACTION.
IF YOU OPT OUT, YOU WILL **NO LONGER** BE A GROUP MEMBER.

To: Supreme Court Registry
Supreme Court of Victoria
210 William Street
Melbourne Victoria 3000
drlanzerclassaction@supcourt.vic.gov.au

I, [print name], am
(select **one** option only)

- ☐ a group member;
- ☐ a director of [company].....which is a group member;
- ☐ an Executor for the Estate of [print name].....who is a group member;
- ☐ a power of attorney for [print name].....who is a group member; or
- ☐ a solicitor acting for [print name].....who is a group member.

in the above group proceeding, and give notice under section 33J(2) of the *Supreme Court Act 1986* (Vic) that I am **opting out** of this proceeding (if a group member) or on behalf of the group member whom I represent (if I am a representative of that group member).

Date:	
Email address of group member:	
Address of group member:	
<input type="checkbox"/> I acknowledge that by affixing my name or signature below that I am giving notice to opt out of the proceeding, either on my own behalf or on behalf of the group member whom I represent, and declare that I have authority to do so.	
Signature of group member, director of group member, Executor, power of attorney or solicitor for group member: <i>[if you are completing this form online please type your full name]</i>	

If you would like to **opt out** of the Dr Lanzer Class Action, please complete this form online via the Supreme Court of Victoria website **OR** return this completed form to the Supreme Court of Victoria by email or by post, at the addresses on this form, by **4:00pm (AEST) on 10 April 2026**.



Annexure B – Correspondence

IN THE SUPREME COURT OF VICTORIA

DR LANZER CLASS ACTION

Lombardo & Ors v Dermatology and Cosmetic Surgery Services Pty Ltd & Ors (S ECI 2022 00739)

EMAIL CORRESPONDENCE ATTACHING OPT OUT NOTICE AND OPT OUT FORM

This communication contains important information that has been approved by the Supreme Court of Victoria to be sent to you because you have been identified as a potential Group Member in a class action relating to cosmetic surgery services commenced against:

- Dermatology & Cosmetic Surgery Services Pty Ltd (**the First Defendant**);
- Daniel Lanzer (**the Second Defendant**);
- Daniel Aronov (**the Third Defendant**);
- Daniel Darbyshire (**the Fourth Defendant**);
- Ryan Wells (**the Fifth Defendant**);
- Alireza Fallahi (**the Sixth Defendant**);
- George Shu-Khim Wong (**the Seventh Defendant**); and
- Candice Wainstein (**the Eighth Defendant**).

This is not a scam. To confirm, please visit the Supreme Court of Victoria website at: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/dr-lanzer-class-action> or search "Dr Lanzer Class Action" using your preferred search engine.

You have been identified as someone who may be a Group Member in the class action. An important notice regarding the class action has been approved by the Supreme Court of Victoria and is **attached** to this email.

It is important that you read the notice carefully as it contains information that may impact your legal rights. The deadline for taking action in response to the notice is **4:00pm (AEST) on 10 April 2026**.

If you have questions in relation to this notice you can also contact Maddens Lawyers, the solicitors for the plaintiffs, on drlanzer@maddenslawyers.com.au or visit the Dr Lanzer Class Action page on Maddens Lawyers' website at <https://maddenslawyers.com.au/class-actions/dr-lanzer-class-action/>.

Any questions you have concerning the matters contained in this notice should not be directed to the Court.

TEXT MESSAGE ENCLOSING URL TO OPT OUT NOTICE

You have been identified as a potential Group Member in a class action commenced against Dermatology & Cosmetic Surgery Services Pty Ltd, Daniel Lanzer, Daniel Aronov, Daniel Darbyshire, Ryan Wells, Alireza Fallahi, George Shu-Khim Wong, and Candice Wainstein.

This is not a scam. To confirm, please visit the Supreme Court of Victoria website <https://www.supremecourt.vic.gov.au/areas/group-proceedings/dr-lanzer-class-action> or search "Dr Lanzer Class Action".

An important notice regarding the class action has been approved by the Supreme Court of Victoria and is available on its website at the above link.

Please read the notice carefully as it contains information that may impact your legal rights. The deadline for taking action is 4pm (AEDT) on 10 April 2026.

You may contact Maddens Lawyers for further information at drlanzer@maddenslawyers.com.au or on 1800 139 290.



SUPREME COURT OF VICTORIA

NOTICE TO GROUP MEMBERS

DR LANZER CLASS ACTION

Lombardo & Ors v Dermatology and Cosmetic Surgery Services Pty Ltd & Ors (S ECI 2022 00739)

This notice is being published by order of the Supreme Court of Victoria.

This notice contains important information about the Dr Lanzer class action. You should read this notice carefully as it may affect your rights.

The Supreme Court of Victoria has ordered that this notice be published to notify persons who might have claims affected by a class action (**Dr Lanzer Class Action**).

The Claim

The Plaintiffs bring this proceeding on behalf of themselves and all persons who have claims for loss or damage based on misleading and deceptive conduct, negligence, breach of contract and/or consumer law breaches in the context of cosmetic surgery being performed on them by one or more of Dr Daniel Lanzer (**Lanzer**), Dr Daniel Aronov, Dr Daniel Darbyshire, Dr Ryan Wells, Dr Alireza Fallahi (collectively the **Other Cosmetic Doctor Defendants**) and/or Dr George Wong for payment made to Dermatology and Cosmetic Surgery Services Pty Ltd (**DCSS**). Psychologist Candice Wainstein is also a defendant.

In this class action, amongst other things, the Plaintiffs allege that DCSS, Dr Lanzer, Dr Daniel Aronov, Dr Daniel Darbyshire, Dr Ryan Wells and Dr Alireza Fallahi engaged in, or were involved in or party to, misleading or deceptive conduct by making certain representations with respect to their surgical training and experience, and their pre-eminence and excellence in the provision of cosmetic surgery. It is also alleged that the Defendants performed cosmetic surgeries that were not fit for purpose, failed to undertake cosmetic surgeries with due care and skill and that the surgeries were undertaken in a negligent manner.

The class action seeks on behalf of the Plaintiffs and Group Members a full refund of the price paid for the cosmetic surgery, compensation for pain and suffering, and distress and disappointment, compensation for consequential losses such as expenses associated with after-care, rectification surgery or loss of income as well as interest and legal costs.

Group Member Options

You are a Group Member in the Dr Lanzer Class Action if you have:

- (a) undergone cosmetic surgery by one or more of Dr Daniel Lanzer, Dr Daniel Aronov, Dr Daniel Darbyshire, Dr Ryan Wells, Dr Alireza Fallahi and/or Dr George Wong; and
- (b) made a payment to DCSS for the cosmetic surgery; and
- (c) suffered loss or damage (including an injury which may be physical or psychiatric or both) in the context of the cosmetic surgery being performed; and
- (d) have a claim based on misleading and deceptive conduct, negligence, breach of contract or consumer law.



Annexure C – Proposed Abridged Notice (Instagram/Facebook Ads, and Post [2 pages])

If you fit the definition of a 'Group Member' in the Dr Lanzer Class Action, the following **three options** are available to you:

1. **Register:** The deadline to register your claim is **4:00pm (AEST) on 10 April 2026**. If you do not register by the deadline, you will remain a Group Member in the class action but, subject to further order of the Court, you will not be permitted to participate in any settlement reached. Registering your claim is risk and cost free. At no stage will you be liable for any out-of-pocket costs by registering your claim. You can register by completing the **Dr Lanzer Class Action Registration Form** available at <https://maddenslawyers.com.au/class-actions/dr-lanzer-class-action/>, or by submitting a hard copy to Maddens Lawyers, a copy of which is at Schedule 1 below.
2. **If you do nothing:** If you do nothing in response to this Notice, you will remain a Group Member in the class action but, subject to any further order of the Court, you will not be permitted to participate in any settlement reached. You will be bound by such a settlement but will not be able to seek any benefit under that settlement. However, if there is no settlement and the class action proceeds to judgment and is successful you will be able to share in the proceeds of a judgment whether you are registered or unregistered.
3. **Opt Out:** If you do not wish to be a Group Member, you should opt out of the class action by completing the "Opt Out Notice" below. If you opt out, then you will cease to be a Group Member and will not be affected by any orders made in the class action. The deadline to opt out is **4:00pm (AEST) on 10 April 2026**. When the Dr Class Action was filed on 9 March 2022, the limitation period for all Group Members' claims was suspended from the commencement of the class action until the opt-out deadline. If you opt out, the suspension ends, and the limitation period resumes running from that point. You can opt out by completing the Online Opt Out Notice at <https://www.supremecourt.vic.gov.au/areas/group-proceedings/dr-lanzer-class-action/opting-out> or by submitting a hard copy to the Supreme Court of Victoria, a copy of which is at Schedule 2 below

Group Members are not, and will not be, liable to pay for any legal costs out of their own pocket by remaining in the Dr Lanzer Class Action. All of the Plaintiffs' costs associated with running the class action will be borne by Maddens Lawyers, unless there is a successful outcome (either by settlement or by Court judgment).

IMPORTANT: There is a Long Form Notice with more detail that you should read before deciding whether or not to opt out of the Dr Lanzer Class Action.

For further information or to obtain a copy of a Long Form Notice which provides more detail about the Dr Lanzer Class Action and the matters referred to in this notice, please visit either:

- The Supreme Court's website: <https://www.supremecourt.vic.gov.au/areas/group-proceedings/dr-lanzer-class-action>; or
- Maddens Lawyers' website: <https://maddenslawyers.com.au/class-actions/dr-lanzer-class-action/>; or
- Contact Maddens Lawyers on drlanzer@maddenslawyers.com.au or on 1800 139 290.



SCHEDULE 1
OPTION 1: REGISTRATION FORM

DR LANZER CLASS ACTION

Lombardo & Ors v Dermatology and Cosmetic Surgery Services Pty Ltd & Ors (S ECI 2022 00739)

ONLY COMPLETE THIS FORM IF YOU WANT TO **REGISTER** FOR THE DR LANZER CLASS ACTION

Please complete a separate form for each Group Member who wishes to **register**.

Details of the group member

Name of Group Member (print):

Address of Group Member:

.....

.....

Email of Group Member:

The abovenamed Group Member registers as a Group Member entitled to participate in any settlement of the proceeding.

Details of the person completing this form

Dated:

Signed:

Name of person signing (print name).

Telephone

Postal address

.....

.....

Maddens Lawyers needs to receive this form BEFORE 4:00pm (AEST) on 10 April 2026.

Please send completed forms to:

Maddens Lawyers
219 Koroit Street
Warrnambool VIC 3280

Email: drlanzer@maddenslawyers.com.au



SCHEDULE 2
OPTION 3: OPT OUT NOTICE

DR LANZER CLASS ACTION

Lombardo & Ors v Dermatology and Cosmetic Surgery Services Pty Ltd & Ors (S ECI 2022 00739)

ONLY COMPLETE THIS FORM IF YOU WANT TO **OPT OUT** OF THE DR LANZER CLASS ACTION.
IF YOU OPT OUT, YOU WILL NO LONGER BE A GROUP MEMBER.

To: Supreme Court Registry
Supreme Court of Victoria
210 William Street
Melbourne Victoria 3000
drlanzerclassaction@supcourt.vic.gov.au

I, [*print name*]....., am

(select **one** option only)

- ☐ a group member;
- ☐ a director of [*company*].....which is a group member;
- ☐ an Executor for the Estate of [*print name*].....who is a group member;
- ☐ a power of attorney for [*print name*].....who is a group member; or
- ☐ a solicitor acting for [*print name*].....who is a group member.

in the above group proceeding, and give notice under section 33J(2) of the *Supreme Court Act 1986* (Vic) that I am **opting out** of this proceeding (if a group member) or on behalf of the group member whom I represent (if I am a representative of that group member).

Date:	
Email address of group member:	
Address of group member:	
<input type="checkbox"/> I acknowledge that by affixing my name or signature below that I am giving notice to opt out of the proceeding, either on my own behalf or on behalf of the group member whom I represent, and declare that I have authority to do so.	
Signature of group member, director of group member, Executor, power of attorney or solicitor for group member: [if you are completing this form online please type your full name]	

If you would like to **opt out** of the Dr Lanzer Class Action, please complete this form online via the Supreme Court of Victoria website OR return this completed form to the Supreme Court of Victoria by email or by post, at the addresses on this form, by **4:00pm (AEST) on 10 April 2026**.



