



**CLASS ACTION AGAINST DERMATOLOGY & COSMETIC SURGERY SERVICES  
DR DANIEL LANZER, DR DANIEL ARONOV AND OTHERS**

**Lombardo v Dermatology & Cosmetic Surgery Services Pty Ltd & Ors**

Case: S ECI 2022 00739

Filed on: 09/03/2022 11:33 AM

**Supreme Court of Victoria**

**GROUP PROCEEDING SUMMARY STATEMENT**

**1. What is a class action?**

A class action is a legal proceeding commenced by a 'representative' plaintiff against one or more defendants seeking to obtain a legal remedy such as compensation.

The class action procedure is available in circumstances where there are at least seven persons who have claims against the same defendant(s) which arise out of the same, similar or related circumstances.

The representative plaintiff brings the claim on their own behalf and on behalf of the other persons that have claims. Those other persons are commonly referred to as 'group members'.

In a class action, the plaintiff's claim is used to resolve legal and factual issues that are common to group members' claims. This allows common issues to be considered and determined by the Court and is intended to prevent the need for separate legal proceedings to be commenced on behalf of each person.

**2. What is this class action about?**

This class action is brought on behalf of all persons who have suffered loss or damage because of cosmetic surgery being performed on them by the following doctors: -

- Dr Daniel Lanzer;
- Dr Daniel Aronov;
- Dr Daniel Darbyshire;
- Dr Ryan Wells and/or
- Dr Alireza Fallahi.

(collectively the 'defendant doctors');

or performed on them at the clinics at

- 30-32 Glenferrie Road, Malvern, Victoria;
- 3/276-278 Pitt Street, Sydney, New South Wales;
- 11 Hayling Street, Salisbury, Queensland;
- 1A/1 Roydhouse Street, Subiaco, Western Australia;

(collectively the 'Lanzer clinics');

Pursuant to a contract with Dermatology & Cosmetic Surgery Services Pty Ltd (**DCSS**).

It is alleged that DCSS and/or one or more of the defendant doctors engaged in misleading or deceptive conduct with respect to their expertise and pre-eminence in cosmetic surgery.

It is also alleged that DCSS and/or the defendant doctors 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 plaintiff and group members, a full refund of the price paid for the cosmetic surgery, compensation for pain and suffering, compensation for consequential losses such as expenses associated with after-care, rectification surgery or loss of income as well as interest and legal costs.

**3. Who is eligible to participate in the class action?**

If you underwent cosmetic surgery by one of the defendant doctors or at one of the Lanzer clinics (identified at section 2 above) and suffered loss or damage (including an injury which may be physical or psychiatric or both) as a result of the procedure or treatment you may be part of the class action.

**4. Who is the law firm acting for the plaintiff?**

Maddens Lawyers.

**5. What is the role and responsibility of the plaintiff?**

Ms Tina Lombardo is the plaintiff in this proceeding. The plaintiff is the representative of the group and is responsible for providing instructions to Maddens Lawyers regarding the conduct of the case. The plaintiff may also give evidence in the proceeding.

**6. How are legal fees and disbursements charged?**

Legal fees are the charges associated with the time spent by lawyers in advancing the class action. Disbursements are monies paid to third parties, such as expert witnesses or barristers, to advance the case. Legal fees and disbursements are collectively referred to as 'legal costs'.

In this class action legal costs will only be required to be paid by group members in the event there is a successful outcome. This is commonly known as a 'no win, no fee' arrangement.

In the event of a successful outcome, any legal costs intended to be charged to group members are required to be independently assessed and approved by the Supreme Court as fair and reasonable. It is also likely the defendants will be required to contribute to a large portion of the legal costs in this event.

In the event there is not a successful outcome in this class action, group members will not be charged any legal costs by Maddens Lawyers and cannot be pursued for legal costs by the defendants.

**7. Are there any other class actions relating to DCSS or the defendant doctors or Lanzer clinics?**

To the best of the knowledge of the plaintiff's solicitors, there are no other class actions being advanced against DCSS or the defendant doctors.

**8. Where is further information available?**

For further information about the class action, group members can contact Maddens Lawyers by e-mail at [info@maddenslawyers.com.au](mailto:info@maddenslawyers.com.au), via our website [www.maddenslawyers.com.au](http://www.maddenslawyers.com.au) or via telephone 1800 815 228. Group members will not be charged for such enquiries.