

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

S ECI 2022 00739

BETWEEN:

TINA LOMBARDO (& Ors according to the attached Schedule)

Plaintiffs

- and -

**DERMATOLOGY AND COSMETIC SURGERY SERVICES
PTY LTD (& Ors according to the attached Schedule)**

Defendants

ORDER

JUDGE: The Honourable Justice Forbes

DATE MADE: 31 July 2025

ORIGINATING PROCESS: Writ filed 9 March 2022

HOW OBTAINED: On application by the plaintiffs and seventh defendant

ATTENDANCE: No appearances

OTHER MATTERS:

A. The first defendant has been unable to obtain email addresses of persons who are or may be group members prior to 1 January 2018.

B. For the purposes of notifying group members who may be affected by the Discontinuance at order 1 of the orders made 1 April 2025, the parties accept that persons who may be group members prior to 1 January 2019 are not affected by the Discontinuance Application in circumstances where George Wong first commenced training with DCSS on or about 17 September 2019 and notification of the discontinuance is to be given to persons who may be group members limited to the period from 1 January 2019 to the closure of the first defendant.

THE COURT ORDERS THAT:

1. The date in order 3 of the orders of Forbes J made on 1 April 2025 (the **April Orders**) is replaced with 3 December 2025.



2. Order 5 of the April Orders is vacated and order 3 is made in its place.
3. Pursuant to section 33X of the *Supreme Court of Victoria Act 1986* (Vic) (**Act**), the terms of the notice set out at Annexure A to these orders is approved (**Notice**), which makes the following changes from Annexure A to the April Orders:
 - a. in paragraph 6 substituting 3 December 2025 for 28 July 2025; and
 - b. in paragraph 7 substituting 4 December 2025 for 29 July 2025; and
 - c. in paragraph 9 substituting 1800 139 290 for 1800 815 228.
4. By 4:00pm on 11 August 2025, the plaintiffs are for the purposes of orders 6, 7 and 8 below, to provide a copy of these orders to the Mail House engaged in accordance with order 6(a) of the April Orders.
5. Order 7 of the April Orders is vacated and order 6 is made in its place.
6. By 4:00pm on 14 August 2025, the first defendant is to provide to the Mail House a list of all persons who according to the records of the first defendant, are or may be Group Members limited to the period commencing January 2019 to the closure of the first defendant. The information is to be in an electronic format agreed between the parties together with the last known email address or, if no email address is available, postal address of each such person according to the first defendant's records (**Limited List of Potential Group Members**).
7. The time for the solicitors for the plaintiffs to comply with order 8 of the April Orders is extended to 4 September 2025.
8. The time for the solicitors for the plaintiffs to comply with order 9 of the April Orders is extended to 5 September 2025.
9. The time for the solicitors for the plaintiffs to comply with order 10 of the April Orders is extended to 12 September 2025.
10. Order 13 of the April Orders is vacated and order 11 is made in its place.



11. The plaintiffs pay the first defendant's costs of the claims being discontinued against the first defendant save for the first defendant's costs associated with the extension of the April Orders.

DATE AUTHENTICATED: 1 August 2025



THE HONOURABLE JUSTICE FORBES



ANNEXURE A

1. If you received cosmetic surgery from one or more of Dr Daniel Lanzer, Dr Daniel Aronov, Dr Daniel Darbyshire, Dr Ryan Wells, Dr Alireza Fallahi or Dr George Wong, in exchange for payment to Dermatology and Cosmetic Surgery Services Pty Ltd (DCSS), you may be a group member in the Supreme Court of Victoria class action named *Lombardo v Dermatology and Cosmetic Surgery Services Pty Ltd (Proceeding)*.
2. You should know that the plaintiffs (on their own behalf and on behalf of group members) have stopped making certain claims against DCSS and Dr Wong. The plaintiffs (on their own behalf and on behalf of group members):
 - (a) no longer claim that Dr Wong negligently performed the cosmetic surgery in breach of his duty of care or that DCSS is vicariously liable for that alleged negligence;
 - (b) no longer claim that Dr Wong engaged in, or was directly or indirectly involved in, misleading or deceptive conduct under the *Australian Consumer Law*;
 - (c) no longer claim that Dr Wong breached the statutory guarantees in sections 60 and 61 of the *Australian Consumer Law* or that DCSS breached the statutory guarantee in section 60 of the *Australian Consumer Law* in respect of patients who underwent surgery performed by Dr Wong; and
 - (d) no longer claim that DCSS breached its contract with patients who underwent cosmetic surgery performed by Dr Wong by reason of the surgery performed by Dr Wong under that contract.
3. The changes will take effect on **1 April 2025**.
4. This means that if you have claims of the type described in paragraph 2 above against either DCSS or Dr Wong, these claims are no longer part of the proceeding and therefore any loss and damage you may have suffered as a consequence of these claims cannot be obtained in this proceeding. However, Dr Wong's conduct is still relevant to claims against DCSS and Dr Lanzer for misleading conduct and a breach of the statutory guarantee in sections 18 and 61 of the *Australian Consumer Law*.



5. You should be aware that each of DCSS, Dr Lanzer, Dr Aronov, Dr Wells and Dr Fallahi have each pleaded by way of defence that the misleading and deceptive conduct claims made in this proceeding are apportionable, including those brought on behalf of group members. This may have an impact on any claims you may wish to pursue outside of this proceeding. Further, if any apportionment defences are successful, it may impact the amount of damages which may be recovered from the remaining defendants in the group proceeding.
6. The limitation period for these claims will begin to run again on **3 December 2025**.
7. If you have queries about the effect of this discontinuance or wish to make the claims in paragraph 2 above, you should seek independent legal advice. You should act quickly because, depending on your situation, the deadline for starting a new case might be **4 December 2025**.
8. If you do not want to pursue these claims yourself, then there is nothing you need to do.
9. If you have any questions, you can contact Maddens Lawyers, who are the plaintiffs' solicitors, on 1800 139 290 or you can seek independent legal advice. Please do not contact the Court for legal advice as the Court's staff cannot provide such advice.



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

DANIEL DARBYSHIRE

Fourth Defendant

RYAN WELLS

Fifth Defendant

ALIREZA FALLAHI

Sixth Defendant

GEORGE SHU-KHIM WONG

Seventh Defendant

CANDICE WAINSTEIN

Eighth Defendant

