

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.

