

# State of New York Court of Appeals

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This memorandum is uncorrected and subject to revision before publication in the New York Reports.

No. 98

Gisele Ben-Dor,  
Respondent,

v.

Alchemy Consultant LLC,  
et al.,

Defendants,  
JPMorgan Chase Bank, N.A.,  
Appellant.

Elliot H. Scherker, for appellant.  
Michael P. Bowen, for respondent.

Order reversed, with costs, defendant JPMorgan Chase Bank, N.A.'s motion to dismiss the amended complaint as against it granted and certified question answered in the negative, for reasons stated in the dissenting memorandum of Justice John R. Higgitt (229 AD3d 405, 408-417). Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

Decided November 25, 2025