**Section 130.1104 Requirement to File an Answer**

a) In each contested case instituted by the Securities Department, each respondent shall file with the Securities Department an Answer, Special Appearance pursuant to Section 130.1107 of this Part, or other responsive pleading within 30 days after the service of the Notice of Hearing or within ten days after each amended Notice of Hearing which materially alters the Notice of Hearing, such as an addition or deletion of parties or counts, or within ten days after service of a Notice of Hearing issued pursuant to Section 130.1102(d) of this Part. Each Answer shall be in writing, signed by each respondent or the respondent's representative, and shall contain a specific response to each allegation in the Notice of Hearing or each new allegation contained in a materially altered Notice of Hearing and set forth affirmative defenses, if any. The response shall either admit or deny each allegation, or shall state that the respondent has insufficient information to admit or deny the allegation. Every allegation not explicitly denied is admitted, unless the respondent states in his or her answer that he or she has no knowledge thereof sufficient to form a belief, and attaches an affidavit of the truth of the want of knowledge, or unless the respondent has had no opportunity to deny.

b) Failure, by the respondent, to timely file an answer, a special appearance pursuant to Section 130.1107 of this Part, or other responsive pleading shall be deemed an admission of the allegations contained in the Notice of Hearing and waives the respondent's right to a hearing. The Hearing Officer shall make a recommendation that an appropriate order be entered wherein, in addition to any other sanctions, respondent be held in default.

(Source: Amended at 22 Ill. Reg. 1933, effective January 1, 1998)