**Section 1232.200 Motion and Answer**

a) Any CL receiving a Complaint or Notice of Intent to Deny shall file an answer within 20 calendar days after service and not later than 10 calendar days prior to the date of hearing. All answers or motions preliminary to a hearing shall be presented to ISP and to the hearing officer at least 10 calendar days prior to the date of hearing, or on such other date as the hearing officer shall designate, and shall be served personally or by certified mail.

b) Unless made orally on the record during a hearing, or unless the hearing officer directs otherwise, an answer or motion shall be in writing and shall be accompanied by any other evidence relied upon and, as appropriate, by a proposed order. At least 2 copies of all such motions shall be filed with ISP (one for the ISP attorney and one for the hearing officer) and at least one copy served on each additional party, if any, to the hearing.

c) Every answer shall contain an explicit admission or denial of each allegation of the Complaint, Notice of Intent to Deny, or motion to which it relates. Every allegation not explicitly denied shall be deemed admitted unless the party states in his or her answer that he or she has no knowledge of the allegation sufficient to form a belief, and attaches an affidavit of the truth of the statement of want of knowledge, or unless the party has had no opportunity to deny. Denials must not be evasive, but must fairly answer the substance of the allegation denied.

d) Within 10 calendar days after service of a written motion, or such other period as the hearing officer may prescribe, a party may file a response in support of or in opposition to the motion, accompanied by affidavits or other evidence. If no response is filed, the parties shall be deemed to have waived objection to the granting of the motion. The moving party shall have no right to reply, except as permitted by the hearing officer.

e) No oral argument will be heard on a motion unless the hearing officer directs otherwise. A written brief may be filed with a motion or a response to a motion, stating the arguments and authorities relied upon.

f) The hearing officer shall rule upon all motions, except that he or she shall have no authority to dismiss or decide a hearing on the merits without granting all parties to the proceeding a right to be heard and to establish a record.

g) A party may participate in the proceedings without forfeiting any jurisdictional objection, if that objection is raised at or before the time the party files his or her answer or motion, or, if no answer or motion is made, before the commencement of the hearing.