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ADMINISTRATIVE PROCEEDING
FILE NO. 3-11442

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION
April 29, 2004

SECURITIES & EXCHANGE COMMISSION
MAILED FOR SERVICE
APR 29 2004
FIRST CLASS

In the Matter of :
:
: ORDER ON MOTIONS
ROBERT COURNOYER :
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:
:
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The Securities and Exchange Commission ("Commission") instituted this proceeding on March 26, 2004, pursuant to Section 15(b) of the Securities Exchange Act of 1934 ("Exchange Act"). The Initial Decision is due by October 28, 2004.

The Order Instituting Proceedings ("OIP") alleges that Robert Cournoyer is the subject of a judgment, entered by consent, that permanently enjoins him from future violations of Sections 5(a), 5(c), and 17(a) of the Securities Act of 1933, Sections 10(b) and 15(a)(1) of the Exchange Act, and Rule 10b-5 thereunder. SEC v. GetAnswers, Inc., Civil Action No. 03-20048-CIV-KING (S.D. Fla. 2004).

A hearing is scheduled to begin on Monday, May 3, 2004. On April 27, 2004, the Division of Enforcement ("Division") filed a: (1) Motion To Continue And Convert Hearing To Telephonic Pre-hearing Conference; (2) Motion For Entry Of A Default Order Against Robert Cournoyer ("Default Motion"); (3) Notice of Appearance; and (4) Notice That Documents Are Available For Copying And Inspection. According to the Commission's records, Respondent Cournoyer received the OIP on April 1, 2004.¹

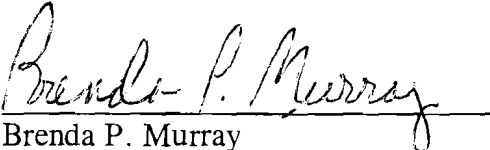
Ruling

Respondent Cournoyer did not comply with Rule 220 of the Commission's Rules of Practice because he failed to file an answer within twenty days of when he received the OIP.

¹ In its Default Motion, the Division represents that Respondent Cournoyer and his counsel were served with the OIP on April 6, 2004. The information I have from the Commission's Secretary is that Respondent Cournoyer signed the return receipt card on April 1, 2004, and Joseph Buchanan, shown as Respondent's counsel on the service list, signed the return receipt card on April 6, 2004.

Failure to file an answer is grounds for entry of a default order. 17 C.F.R. §§ 201.155(b), .220. Respondent Cournoyer has five days from when the Default Motion was served to file a brief in opposition. 17 C.F.R. § 201.154(b). I will rule on the Default Motion when it is appropriate to do so.

I GRANT the Motion To Continue And Convert Hearing To Telephonic Pre-hearing Conference and ORDER that the hearing scheduled to begin at 9:30 a.m. on Monday, May 3, 2004, is postponed, and a prehearing conference is scheduled for 10:00 a.m. on Tuesday, May 18, 2004.


Brenda P. Murray
Chief Administrative Law Judge