

**BEFORE THE BOARD OF ETHICAL CONDUCT
OF THE
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
TENNESSEE**

Lydia Yousief,)
)
 Complainant,)
)
 v.)
)
 Will Cheek,)
)
 Respondent)
)
 _____)

ORDER

This matter came before the Board of Ethical Conduct (“Board”) of the Metropolitan Government of Nashville and Davidson County on April 4, 2024, pursuant to a complaint filed by Lydia Yousief (“Complainant”) against former Metropolitan Arts Commission (“Arts Commission”) member Will Cheek (“Respondent”).

Complainant filed this matter as an ethics complaint pursuant to the procedures set out in Metropolitan Code § 2.222.040.

The complaint alleged that the Respondent violated the Open Meetings Act, provided pro bono legal counsel to arts organizations while serving as a Commission member and making decisions regarding funding to those organizations in violation of Metropolitan Code § 2.222.020(n), and took actions that were against the equitable distributions of grant funding. The complaint asserted that the Respondent had a conflict of interest and demonstrated an inconsistency in his recusal or abstention from votes that concerned funding for organizations with which the Respondent was affiliated as pro bono counsel or a board member.

Pursuant to the provisions of section 2.222.040(C)(1)(e) of the Metropolitan Code, the Department of Law evaluated the allegations of the complaint for the purpose of determining

whether the facts as alleged, if proven true, would give rise to a violation of the Standards of Conduct. The Department of Law concluded that one of the allegations in the complaint, if proven true, could constitute a violation of the Standards of Conduct set forth in the Metropolitan Code section 2.222.020(o). Accordingly, the Department of Law recommended that the Board hold a hearing on allegations in the complaint concerning a violation of section 2.222.020(o) of the Metropolitan Code. The Department of Law further recommended dismissal of all other portions of the complaint. Following deliberation, the Board unanimously adopted a motion to (1) hold a hearing on the allegation that the Respondent violated section 2.222.020(o) of the Metropolitan Code and (2) dismiss all other portions of the complaint.

IT IS THEREFORE ORDERED BY THE BOARD OF ETHICAL CONDUCT, that:

- I.
 - (a) A hearing shall be held on the allegations in the complaint that the Respondent, Will Cheek, violated section 2.222.020(o) of the Metropolitan Code.
 - (b) The hearing is set for **Monday, April 29, 2024, at 9:00 a.m.**
 - (c) The hearing shall be conducted pursuant to the procedures outlined in section 2.222.040(C)(2) of the Metropolitan Code and the Hearing Procedures adopted by the Board.
 - (d) If a party wishes to submit material to the Board, the party must file such material with the Metropolitan Clerk, and provide a copy of the same to the other party, no later than April 22, 2024.
 - (e) Each party must file with the Metropolitan Clerk a list of witnesses that the party intends to call at the hearing, and provide a copy of the same to the other party, no later than April 22, 2024.
- II. All other parts of the complaint are dismissed.

Entered, this the 5th day of April, 2024.



Diane DiIanni, Chairperson
Metropolitan Board of Ethical Conduct

cc: Complainant, Lydia Yousief
Respondent, Will Cheek