

The Second Division consisted of the regular members and in addition Referee Herbert L. Marx, Jr. when award was rendered.

Parties to Dispute: (System Federation No. 117, Railway Employees'
(Department, A. F. of L. - C. I. O.
((Carmen)
(Western Pacific Railroad Company

Dispute: Claim of Employees:

1. That Carman B. R. Mooney was unjustly discharged from the service of the Western Pacific Railroad Company in violation of the rules of the controlling agreement by letter dated June 30, 1976, as a result of investigation held on June 14, 1976.
2. That accordingly, the Western Pacific Railroad Company be ordered to reinstate Carman B. R. Mooney to service with pay for all time lost, with all rights and fringe benefits unimpaired.

Statement:

The above question was submitted to the Second Division of the National Railroad Adjustment Board by the above referred to organization in ex parte form, hearing thereon was waived, and the Division is now in receipt of a request from the employes that the case be withdrawn.

A W A R D

Claim dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 4th day of August, 1978.