

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Award No. 39901  
Docket No. MW-40640  
09-3-NRAB-00003-080443

**PARTIES TO DISPUTE:** (Brotherhood of Maintenance of Way Employees Division –  
( IBT Rail Conference  
(  
(Union Pacific Railroad Company

**STATEMENT OF CLAIM:** As shown in Docket No. MW-40640 and not  
repeated herein.

**FINDINGS:** The Third Division of the Adjustment Board finds:

That the dispute was certified to the Third Division of the Adjustment Board ex  
parte by the petitioning party; and

Under date of July 13, 2009, the petitioning party addressed a formal  
communication to the Arbitration Assistant requesting withdrawal of this case from  
further consideration by the Division which request is hereby granted.

**AWARD**

Claim withdrawn.

**NATIONAL RAILROAD ADJUSTMENT BOARD  
By Order of Third Division**

Dated at Chicago, Illinois, this 31st day of July 2009.