NATIONAL RAILROAD ADJUSTMENT BOARD THIRD DIVISION

Award No. 37043 Docket No. MW-37836 04-3-03-3-212

(CSX Transportation, Inc.

PARTIES TO DISPUTE: (

(Brotherhood of Maintenance of Way Employes

STATEMENT OF CLAIM: As shown in Docket No. MW-37836 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 exparte by the petitioning party; and

Under date of April 27, 2004, 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Claim withdrawn.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 18th day of May 2004.