

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 39389
Docket No. TD-40059
08-3-NRAB-00003-070355
(07-3-355)

PARTIES TO DISPUTE: (American Train Dispatchers Association
(BNSF Railway Company)

STATEMENT OF CLAIM: As shown in Docket No. TD-40059 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 November 7, 2008, 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Claim withdrawn.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 8th day of December 2008.