

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 39437
Docket No. MW-38654
08-3-NRAB-00003-050040
(05-3-40)

(Brotherhood of Maintenance of Way Employees Division –
(IBT Rail Conference

PARTIES TO DISPUTE: (
(CSX Transportation, Inc.

STATEMENT OF CLAIM: As shown in Docket No. MW-38654 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 October 24, 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Claim withdrawn.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.