

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 39438
Docket No. MW-38798
08-3-NRAB-00003-050199
(05-3-199)

(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-38798 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Claim withdrawn.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.