

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Award No. 39534  
Docket No. MW-38552  
09-3-NRAB-00003-040549  
(04-3-549)

**PARTIES TO DISPUTE:** (Brotherhood of Maintenance of Way Employes  
(CSX Transportation, Inc.)

**STATEMENT OF CLAIM:** As shown in Docket No. MW-38552 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 January 14, 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Claim withdrawn.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 2nd day of February 2009.