

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 39636  
Docket No. MW-40326  
09-3-NRAB-00003-080123**

**(Brotherhood of Maintenance of Way Employes Division -  
( IBT Rail Conference**

**PARTIES TO DISPUTE:**

**(Norfolk Southern Railway Company**

**STATEMENT OF CLAIM:** As shown in Docket No. MW-40326 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 February 26, 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**Claim withdrawn.**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 1st day of April 2009.**