

**NATIONAL RAILROAD ADJUSTMENT BOARD
\$ DIVISION**

Award No. 39892
Docket No. TD-39660
NRAB-00003-080460
(06-3-460)

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

STATEMENT OF CLAIM: As shown in Docket No. TD-39660 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 July 27, 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Claim withdrawn.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 31st day of July 2009.