

**\*\*CORRECTED\*\***

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 40356  
Docket No. MW-40424  
10-3-NRAB-00003-080243**

**(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-40424 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 5, 2010, 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**Claim withdrawn.**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 March 2010.**