

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 40539  
Docket No. MW-39817  
10-3-NRAB-00003-060618  
(06-3-618)**

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

**PARTIES TO DISPUTE: (**  
**(CSX Transportation, Inc.**

**STATEMENT OF CLAIM: As shown in Docket No. MW-39817 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 April 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**Claim withdrawn.**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 15th day of June 2010.**