

**Award No. 6058**  
**Docket No. CL-6447**

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
**THIRD DIVISION**

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**PARTIES TO DISPUTE:**

**BROTHERHOOD OF RAILWAY AND STEAMSHIP CLERKS,  
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

**FLORIDA EAST COAST RAILWAY COMPANY**  
**Scott M. Loftin and John W. Martin, Trustees**

**STATEMENT OF CLAIM:** Claim of the System Committee of the Brotherhood that:

1. Carrier's action in appointing F. J. Redmond, Jr., to expected position of Claim Clerk in office of Superintendent of Stations and Freight Claims on March 12, 1952, was arbitrary, capricious and in violation of rules of the Clerks' Agreement, as hereinafter cited, and

2. That the carrier shall be required to assign Clerk P. B. Triay to the position here involved and reimburse him and other employees affected for all wage losses resulting from carrier's action.

**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 complainant party; and

That no hearing thereon has been held, and under date of January 26, 1953, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

**AWARD**

Case dismissed.

**NATIONAL RAILROAD ADJUSTMENT BOARD**  
By Order of Third Division

**ATTEST:** (Sgd.) A. Ivan Tummon  
Secretary

Dated at Chicago, Illinois, this 28th day of January, 1953.