

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Award No. 38109  
Docket No. MW-36685  
07-3-01-3-224

**PARTIES TO DISPUTE:** (Brotherhood of Maintenance of Way Employees  
(BNSF Railway Company

**STATEMENT OF CLAIM:** As shown in Docket No. MW-36685 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 1, 2007, 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Claim withdrawn.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 21st day of February 2007.