

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 39152
Docket No. MW-38366
08-3-NRAB-00003-040316
04-3-316

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

STATEMENT OF CLAIM: As shown in Docket No. MW-38366 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 August 31, 2006, 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Claim withdrawn.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 7th day of July 2008.