

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 39353
Docket No. MS-40152
08-3-NRAB-00003-070416
(07-3-416)

(R. S. Tantorno & C. H. Poirier, III
PARTIES TO DISPUTE: (
(Florida East Coast Railway

STATEMENT OF CLAIM: As shown in Docket No. MS-40152 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 July 1, 2008, 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Claim withdrawn.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 29th day of September 2008.