

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

Award No. 39537  
Docket No. MW-39247  
09-3-NRAB-00003-050708  
(05-3-708)

(Brotherhood of Maintenance of Way Employees Division -  
( IBT Rail Conference

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

**STATEMENT OF CLAIM:** As shown in Docket No. MW-39247 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 January 12, 2009, 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Claim withdrawn.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 2nd day of February 2009.