

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 40062
Docket No. MW-40559
09-3-NRAB-00003-080407

(Brotherhood of Maintenance of Way Employes Division –
(ITB Rail Conference
PARTIES TO DISPUTE: (
(New Orleans Public Belt Railroad Company

STATEMENT OF CLAIM: As shown in Docket No. MW-40559 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 September 4, 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Claim withdrawn.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 30th day of September 2009.