

**NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION**

Award No. 40187
Docket No. MW-40225
09-3-NRAB-00003-070457

**(Brotherhood of Maintenance of Way Employes Division -
(IBT Rail Conference
PARTIES TO DISPUTE: (
(CSX Transportation, Inc.**

**STATEMENT OF CLAIM: As shown in Docket No. MW-40225 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 October 16, 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Claim withdrawn.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 19th day of November 2009.