

**NATIONAL RAILROAD ADJUSTMENT BOARD  
THIRD DIVISION**

**Award No. 40539  
Docket No. MW-39817  
10-3-NRAB-00003-060618  
(06-3-618)**

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

**STATEMENT OF CLAIM:** As shown in Docket No. MW-39817 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 April 5, 2010, 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Claim withdrawn.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 15th day of June 2010.**