



# Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Freddie N. Simpson  
*President*

Perry K. Geller, Sr.  
*Secretary-Treasurer*

**SENT VIA ELECTRONIC TRANSMISSION  
AND U.S. MAIL**

July 6, 2005

Mr. Gerald E. Wallin  
Arbitrator  
P.O. Box 12608  
Reno, NV 89510

Dear Mr. Wallin:

This is in reference to the letter dated June 15, 2005 wherein the National Mediation Board, pursuant to its authority under Paragraph (l) of Section 153, First, of the Railway Labor Act, appointed you to sit with the Third Division of the National Railroad Adjustment Board as a neutral referee and member to make awards on ten (10) cases on which the Carrier and Labor Members are deadlocked.

As the Neutral Member of the Third Division for the ten (10) cases identified in Attachment "A" to the NMB's June 15, 2005 letter, you have the responsibility for resolving deadlocks between the partisan members. The Labor and Carrier Members of the Third Division are now deadlocked with respect to setting a date for the hearing on the ten (10) cases in question. Therefore, I am hereby requesting that you resolve that deadlock by setting a time and place for the hearing consistent with the general purpose of the Railway Labor Act, "... to provide for the prompt and orderly settlement of disputes growing out of grievances or out of the interpretation or application of agreements covering rates of pay, rules, or working conditions." 45 U.S.C. § 151 (a) (5).

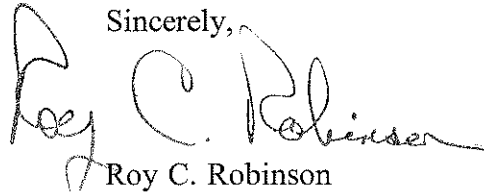
Pursuant to your advice to the Chairman and Vice Chairman of the Third Division on June 30, 2005, you were potentially available to hold hearings on these cases on August 3-5, September 12-16, September 29, October 4-5, 11-12, 17-18 and November 8-10, 22 and 29-30 at various specified locations. All of these dates and locations are acceptable to the Labor Members. However, given the potential for budgetary constraints that often occur in October, we urge you to set a date in August or September.

150 S. Wacker Drive, Suite 300  
Chicago, IL 60606-4101  
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[www.bmwe.org](http://www.bmwe.org)

Mr. Gerald E. Wallin  
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Thank you in advance for your prompt attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Roy C. Robinson". The signature is written in a cursive style with a large initial "R" and "C".

Roy C. Robinson  
Labor Member  
Third Division

cc: Mr. Roland Watkins, Director - Office of Arbitration Services  
Mr. Martin Fingerhut, Board Chairman  
Mr. William Miller, Board Vice Chairman  
Mr. Mike Lesnik, Third Division Chairman