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Division of Corporations

## Florida Department of State

Division of Corporations

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**MERGER OR SHARE EXCHANGE  
FIRST DATA MERCHANT SERVICES LLC**

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## ARTICLES OF MERGER

FDS HOLDINGS, INC.  
(a Delaware corporation)  
with and into  
FIRST DATA MERCHANT SERVICES LLC  
(a Florida limited liability company)

The undersigned parties to an Agreement and Plan of Merger, dated as of September 27, 2021 (the "Plan of Merger"), by and between First Data Merchant Services, LLC, a limited liability company (the "Surviving Company"), and FDS Holdings, Inc., a Delaware Corporation (the "Merging Company"), pursuant to Sections 605.1025 of the Florida Revised Limited Liability Company Act, hereby execute the following Articles of Merger:

1. Names. The names of the entities proposing to merge and their respective states of formation are as follows:

<u>Name of Entity</u>	<u>State of Formation</u>
First Data Merchant Services LLC	Florida
FDS Holdings, Inc.	Delaware

2. Surviving Entity. The name of the Surviving Company is First Data Merchant Services LLC. The Surviving Company is a domestic filing entity that existed before the merger and there are no amendments to its public organic records.

3. Plan of Merger. The executed Plan of Merger is on file at the principal place of business of the Surviving Company located at 2900 Westside Parkway, Alpharetta, GA, 30004. The Surviving Company will provide a copy of the Plan of Merger, upon written request and without cost, to any stockholder or member of the Surviving Company or the Merging Company or, upon written request and payment to the Surviving Company of an amount equal to the cost of producing the copy, to any other interested person.

4. Approval. The merger was approved by each domestic merging entity that is a limited liability company in accordance with Sections 605.1021 - 605.1026; by each other merging entity in accordance with the laws of its jurisdiction; and by each member of such limited liability company who as a result of the merger will have interest holder liability under Section 605.1023(1)(b).

5. Effective Date and Time. The effective date and time of the merger shall be as of 11:59 p.m., Eastern Standard Time, on September 30, 2021.

6. Payments to Members. The Surviving Company has agreed to pay to any members of any limited liability company with appraisal rights the amount to which such members are entitled under the provisions of Sections 605.1006 and 605.1061 - 605.1072.

[Signature page follows.]

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**IN WITNESS WHEREOF**, these Articles of Merger have been executed by the undersigned entities as of the 27<sup>th</sup> day of September, 2021.

**THE MERGING COMPANY:**

FDS HOLDINGS, INC.

By:   
\_\_\_\_\_  
Name: Scot A. Silvergate  
Title: Assistant Secretary

**THE SURVIVING COMPANY:**

FIRST DATA MERCHANT SERVICES LLC

By:   
\_\_\_\_\_  
Name: Eric C. Nelson  
Title: Secretary