

# Delaware

The First State

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*I, CHARUNI PATIBANDA-SANCHEZ, SECRETARY OF STATE OF THE  
STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND  
CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "EP AETHER  
TOPCO BLOCKER, INC", FILED IN THIS OFFICE ON THE THIRTEENTH DAY  
OF NOVEMBER, A.D. 2025, AT 11:40 O`CLOCK A.M.*



*C. P. Sanchez*

Charuni Patibanda-Sanchez, Secretary of State

10401589 8100  
SR# 20254551654

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

Authentication: 205309015  
Date: 11-13-25

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 11:40 AM 11/13/2025  
FILED 11:40 AM 11/13/2025  
SR 20254551654 - File Number 10401589

**CERTIFICATE OF INCORPORATION  
OF  
EP AETHER TOPCO BLOCKER, INC.**

The undersigned natural person, acting as an incorporator of a corporation under the General Corporation Law of the State of Delaware, as amended (“DGCL”), hereby adopts the following Certificate of Incorporation for such corporation:

**ARTICLE ONE**

The name of the corporation is EP Aether Topco Blocker, Inc. (the “Corporation”).

**ARTICLE TWO**

The address of the registered office of the Corporation in the State of Delaware is 1209 Orange Street, Wilmington, County of New Castle, Delaware 19801. The name of the Corporation’s registered agent at such address is The Corporation Trust Company.

**ARTICLE THREE**

The purpose for which the Corporation is organized is to engage in any lawful act or activity for which corporations may be organized under the DGCL.

**ARTICLE FOUR**

The total number of shares of stock which the Corporation shall have authority to issue is one thousand (1,000) shares of common stock, par value \$0.001 per share.

**ARTICLE FIVE**

The name and mailing address of the sole incorporator of the Corporation are as follows:

Justin Unertl  
3033 East 1st Avenue  
Suite 700  
Denver, CO 80206

**ARTICLE SIX**

The Corporation is to have perpetual existence.

**ARTICLE SEVEN**

In furtherance and not in limitation of the powers conferred by statute, the board of directors of the Corporation (the “Board of Directors”) is expressly authorized to make, alter or repeal the bylaws of the Corporation, subject to the powers of the stockholders of the Corporation to adopt bylaws or to amend or repeal any bylaws adopted or amended by the Board of Directors.

**ARTICLE EIGHT**

Meetings of stockholders may be held within or without the State of Delaware, as the bylaws of the Corporation may provide. The books of the Corporation may be kept outside the State of Delaware at such

place or places as may be designated from time to time by the Board of Directors or in the bylaws of the Corporation.

**ARTICLE NINE**

To the fullest extent permitted by the DGCL, a director of the Corporation shall not be personally liable to the Corporation or its stockholders for monetary damages for a breach of fiduciary duty as a director. Any repeal or modification of this ARTICLE NINE shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification.

**ARTICLE TEN**

The Corporation shall indemnify, advance expenses, and hold harmless, to the fullest extent permitted by applicable law as it presently exists or may hereafter be amended, any person (a "**Covered Person**") who was or is made or is threatened to be made a party or is otherwise involved in any action, suit, or proceeding, whether civil, criminal, administrative, or investigative (a "**Proceeding**"), by reason of the fact that he or she, or a person for whom he or she is the legal representative, is or was a director, officer, employee or agent of the Corporation or, while a director, officer, employee or agent of the Corporation, is or was serving at the request of the Corporation as a director, officer, employee, or agent of another corporation or of a partnership, joint venture, trust, enterprise, or nonprofit entity, including service with respect to employee benefit plans, against all liability and loss suffered and expenses (including attorneys' fees) reasonably incurred by such Covered Person. Notwithstanding the preceding sentence, except for claims for indemnification (following the final disposition of such Proceeding) or advancement of expenses not paid in full, the Corporation shall be required to indemnify a Covered Person in connection with a Proceeding (or part thereof) commenced by such Covered Person only if the commencement of such Proceeding (or part thereof) by the Covered Person was authorized in the specific case by the board of directors of the Corporation. Any repeal or modification of this ARTICLE TEN shall not adversely affect any right or protection of a Covered Person existing at the time of such repeal or modification.

**ARTICLE ELEVEN**

The Corporation expressly elects not to be governed by Section 203 of the DGCL.

**ARTICLE TWELVE**

The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation in the manner now or hereafter prescribed herein and by the laws of the State of Delaware, and all rights conferred upon stockholders herein are granted subject to this reservation.

*[remainder of page left intentionally blank]*

I, Justin Unertl, being the incorporator herein before named, for the purpose of forming a corporation pursuant to the DGCL, do make this certificate, hereby declaring and certifying that this is my act and deed and the facts herein stated are true, and accordingly have hereunto set my hand as of November 13, 2025.

/s/ Justin Unertl

Justin Unertl, Sole Incorporator