

DAVITA INC
Form 4
February 28, 2005

FORM 4

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549**

OMB APPROVAL

OMB Number: 3235-0287
Expires: January 31, 2005
Estimated average burden hours per response... 0.5

Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *
THIRY KENT J

(Last) (First) (Middle)
601 HAWAII STREET

(Street)

EL SEGUNDO, CA 90245

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol
DAVITA INC [DVA]

3. Date of Earliest Transaction (Month/Day/Year)
02/24/2005

4. If Amendment, Date Original Filed (Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

Director 10% Owner
 Officer (give title below) Other (specify below)
Chairman & Chief Exec. Officer

6. Individual or Joint/Group Filing (Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)		4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)		5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)	
			Code	V	Amount	(A) or (D)				Price
Common Stock	02/24/2005		M		112,500	A	\$ 10.2667	337,572	D	
Common Stock	02/24/2005		S		90,500	D	\$ 42.25	247,072	D	
Common Stock	02/24/2005		S		1,700	D	\$ 42.26	245,372	D	
Common Stock	02/24/2005		S		2,200	D	\$ 42.27	243,172	D	
Common Stock	02/24/2005		S		10,600	D	\$ 42.28	232,572	D	

Edgar Filing: DAVITA INC - Form 4

Common Stock	02/24/2005	S	800	D	\$ 42.29	231,772	D	
Common Stock	02/24/2005	S	6,700	D	\$ 42.3	225,072	D	
Common Stock	02/24/2005	M	72,500	A	\$ 16.1333	297,572	D	
Common Stock	02/24/2005	S	56,700	D	\$ 42.3	240,872	D	
Common Stock	02/24/2005	S	5,000	D	\$ 42.31	235,872	D	
Common Stock	02/24/2005	S	7,300	D	\$ 42.32	228,572	D	
Common Stock	02/24/2005	S	2,100	D	\$ 42.33	226,472	D	
Common Stock	02/24/2005	S	100	D	\$ 42.34	226,372	D	
Common Stock	02/24/2005	S	800	D	\$ 42.35	225,572	D	
Common Stock	02/24/2005	S	400	D	\$ 42.36	225,172	D	
Common Stock	02/24/2005	S	100	D	\$ 42.39	225,072	D	
Common Stock	02/25/2005	M	187,500	A	\$ 16.1333	412,572	D	
Common Stock	02/25/2005	S	100,000	D	\$ 42.25	312,572	D	
Common Stock	02/25/2005	S	65,000	D	\$ 42.35	247,572	D	
Common Stock	02/25/2005	S	6,300	D	\$ 42.43	241,272	D	
Common Stock	02/25/2005	S	3,000	D	\$ 42.44	238,272	D	
Common Stock	02/25/2005	S	13,200	D	\$ 42.45	225,072	D	
Common Stock						22,743	I	By Trust

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

SEC 1474
(9-02)

Edgar Filing: DAVITA INC - Form 4

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)
				Code	V (A) (D)	Date Exercisable Expiration Date	Title Amount Number Shares
Stock Options (Right to Buy)	\$ 10.2667	02/24/2005		M	112,500	02/13/2002 ⁽¹⁾ 02/13/2006	Common Stock 112,500
Stock Options (Right to Buy)	\$ 16.1333	02/24/2005		M	72,500	02/13/2004 ⁽²⁾ 02/13/2007	Common Stock 72,500
Stock Options (Right to Buy)	\$ 16.1333	02/25/2005		M	187,500	02/13/2004 ⁽²⁾ 02/13/2007	Common Stock 187,500

Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
THIRY KENT J 601 HAWAII STREET EL SEGUNDO, CA 90245	X		Chairman & Chief Exec. Officer	

Signatures

/s/ Corinna B. Polk
Attorney-in-Fact

02/27/2005

**Signature of Reporting Person

Date

Explanation of Responses:

* If the form is filed by more than one reporting person, see Instruction 4(b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) Non-Qualified stock options which vested 112,500 shares on 02/13/02, 02/13/03, 02/13/04, and 02/13/05.

(2) Non-Qualified stock options which vest according to the following schedule: 375,000 on 02/13/04, 187,500 on 02/13/05, and 187,500 on 02/13/06.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.