

DAVITA INC  
Form 4  
May 18, 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)  
**05/16/2005**

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	05/16/2005		M		47,000	A	\$ 16.1333
Common Stock	05/16/2005		S		2,300	D	\$ 41.9
Common Stock	05/16/2005		S		100	D	\$ 41.91
Common Stock	05/16/2005		S		5,500	D	\$ 41.92
Common Stock	05/16/2005		S		10,300	D	\$ 41.93
							272,072
							269,772
							269,672
							264,172
							253,872

## Edgar Filing: DAVITA INC - Form 4

Common Stock	05/16/2005	S	9,700	D	\$ 41.94	244,172	D
Common Stock	05/16/2005	S	8,700	D	\$ 41.95	235,472	D
Common Stock	05/16/2005	S	700	D	\$ 41.96	243,772	D
Common Stock	05/16/2005	S	2,500	D	\$ 41.97	232,272	D
Common Stock	05/16/2005	S	600	D	\$ 41.98	231,672	D
Common Stock	05/16/2005	S	1,600	D	\$ 41.99	230,072	D
Common Stock	05/16/2005	S	2,100	D	\$ 42	227,972	D
Common Stock	05/16/2005	S	400	D	\$ 42.01	227,572	D
Common Stock	05/16/2005	S	400	D	\$ 42.02	227,172	D
Common Stock	05/16/2005	S	1,800	D	\$ 42.03	225,372	D
Common Stock	05/16/2005	S	200	D	\$ 42.05	225,172	D
Common Stock	05/16/2005	S	100	D	\$ 42.07	225,072	D
Common Stock	05/17/2005	M	65,500	A	\$ 16.1333	290,572	D
Common Stock	05/17/2005	S	10,000	D	\$ 41.75	280,572	D
Common Stock	05/17/2005	S	35,000	D	\$ 41.8	245,572	D
Common Stock	05/17/2005	S	1,000	D	\$ 41.81	244,572	D
Common Stock	05/17/2005	S	1,200	D	\$ 41.82	243,372	D
Common Stock	05/17/2005	S	1,700	D	\$ 41.83	241,672	D
Common Stock	05/17/2005	S	600	D	\$ 41.84	241,072	D
Common Stock	05/17/2005	S	12,300	D	\$ 41.85	228,772	D
	05/17/2005	S	1,000	D	\$ 41.86	227,772	D

Common  
Stock

Common Stock 05/17/2005 S 2,700 D \$ 41.87 225,072 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)

**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)	Amount or Number of Shares
Stock Options (Right to Buy)	\$ 16.1333	05/16/2005		M	47,000	02/13/2004 <sup>(1)</sup> 02/13/2007	Common Stock	47,000
Stock Options (Right to Buy)	\$ 16.1333	05/17/2005		M	65,500	02/13/2004 <sup>(1)</sup> 02/13/2007	Common Stock	65,500

## 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

05/18/2005

\_\_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 vest 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.