

THIRY KENT J  
Form 4  
August 23, 2007

**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)  
08/21/2007

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 or Price		
Common Stock	08/21/2007		M		178,568 A \$ 30.0667	352,390	D
Common Stock	08/21/2007		S		1,400 D \$ 55.15	350,990	D
Common Stock	08/21/2007		S		200 D \$ 55.14	350,790	D
Common Stock	08/21/2007		S		3 D \$ 55.13	350,787	D
Common Stock	08/21/2007		S		6,558 D \$ 55.12	344,229	D

## Edgar Filing: THIRY KENT J - Form 4

Common Stock	08/21/2007	S	3,739	D	\$ 55.11	340,490	D
Common Stock	08/21/2007	S	9,900	D	\$ 55.1	330,590	D
Common Stock	08/21/2007	S	1,024	D	\$ 55.09	329,566	D
Common Stock	08/21/2007	S	1,676	D	\$ 55.08	327,890	D
Common Stock	08/21/2007	S	1,200	D	\$ 55.07	326,690	D
Common Stock	08/21/2007	S	900	D	\$ 55.06	325,790	D
Common Stock	08/21/2007	S	10,200	D	\$ 55.05	315,590	D
Common Stock	08/21/2007	S	3,000	D	\$ 55.04	312,590	D
Common Stock	08/21/2007	S	5,110	D	\$ 55.03	307,480	D
Common Stock	08/21/2007	S	6,400	D	\$ 55.02	301,080	D
Common Stock	08/21/2007	S	8,400	D	\$ 55.01	292,680	D
Common Stock	08/21/2007	S	86,678	D	\$ 55	206,002	D
Common Stock	08/21/2007	S	4,716	D	\$ 54.99	201,286	D
Common Stock	08/21/2007	S	100	D	\$ 54.985	201,186	D
Common Stock	08/21/2007	S	2,400	D	\$ 54.98	198,786	D
Common Stock	08/21/2007	S	4,864	D	\$ 54.97	193,922	D
Common Stock	08/21/2007	S	200	D	\$ 54.965	193,722	D
Common Stock	08/21/2007	S	5,636	D	\$ 54.96	188,086	D
Common Stock	08/21/2007	S	100	D	\$ 54.955	187,986	D
Common Stock	08/21/2007	S	3,000	D	\$ 54.95	184,986	D
	08/21/2007	S	2,500	D	\$ 54.94	182,486	D

Common Stock									
Common Stock	08/21/2007		S	2,264	D	\$ 54.93	180,222		D
Common Stock	08/21/2007		S	4,700	D	\$ 54.92	175,522		D
Common Stock	08/21/2007		S	1,700	D	\$ 54.91	173,822		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 Security (Instr. 3 and 4)
				Code	V (A) (D)	Date Exercisable Expiration Date	Title Amount Number Shares
Stock Options (Right to Buy)	\$ 30.0667	08/21/2007		M	178,568	03/24/2005 <sup>(1)</sup> 03/24/2009	Common Stock 178,568

## 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

08/23/2007

\*\*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 25% on each of the first four anniversaries of the grant date.

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.