

DAVITA INC  
Form 4  
December 07, 2007

**FORM 4** UNITED STATES SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

OMB APPROVAL

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**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)  
12/05/2007

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	12/05/2007		M		112,700 A \$ 30.0667	286,522	D
Common Stock	12/05/2007		S		500 D \$ 60.48	286,022	D
Common Stock	12/05/2007		S		600 D \$ 60.47	285,422	D
Common Stock	12/05/2007		S		300 D \$ 60.46	285,122	D
Common Stock	12/05/2007		S		500 D \$ 60.45	284,622	D

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Common Stock	12/05/2007	S	800	D	\$ 60.4	283,822	D
Common Stock	12/05/2007	S	1,900	D	\$ 60.09	281,922	D
Common Stock	12/05/2007	S	35,800	D	\$ 60.05	246,122	D
Common Stock	12/05/2007	S	72,300	D	\$ 60	173,822	D
Common Stock	12/05/2007	M	30,000	A	\$ 30.0667	203,822	D
Common Stock	12/05/2007	S	500	D	\$ 60.41	203,322	D
Common Stock	12/05/2007	S	400	D	\$ 60.25	202,922	D
Common Stock	12/05/2007	S	100	D	\$ 60.18	202,822	D
Common Stock	12/05/2007	S	300	D	\$ 60.17	202,522	D
Common Stock	12/05/2007	S	200	D	\$ 60.16	202,322	D
Common Stock	12/05/2007	S	1,700	D	\$ 60.15	200,622	D
Common Stock	12/05/2007	S	200	D	\$ 60.12	200,422	D
Common Stock	12/05/2007	S	300	D	\$ 60.11	200,122	D
Common Stock	12/05/2007	S	400	D	\$ 60.1	199,722	D
Common Stock	12/05/2007	S	800	D	\$ 60.08	198,922	D
Common Stock	12/05/2007	S	2,900	D	\$ 60.07	196,022	D
Common Stock	12/05/2007	S	2,600	D	\$ 60.06	193,422	D
Common Stock	12/05/2007	S	2,800	D	\$ 60.04	190,622	D
Common Stock	12/05/2007	S	5,100	D	\$ 60.03	185,522	D
Common Stock	12/05/2007	S	5,000	D	\$ 60.02	180,522	D
	12/05/2007	S	6,700	D	\$ 60.01	173,822	D

Common  
Stock

Common Stock 22,743 I By Trust

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

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**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	12/05/2007		M	112,700	03/24/2005 <sup>(1)</sup> 03/24/2009	Common Stock 112,700
Stock Options (Right to Buy)	\$ 30.0667	12/05/2007		M	30,000	12/31/2004 <sup>(2)</sup> 03/24/2009	Common Stock 30,000

## 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 12/06/2007

\*\*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, pursuant to the 2002 Equity Compensation Plan, which vest 25% on the first four anniversaries of the grant date.
- (2) Non-qualified stock options, pursuant to the 2002 Equity Compensation Plan, which vest 30,000 on 12/31/04, and 120,000 on 2/22/09.

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