

DAVITA INC  
Form 4  
February 28, 2005

**FORM 4**

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

OMB APPROVAL

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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
Common Stock	02/24/2005		S		90,500	D	\$ 42.25
Common Stock	02/24/2005		S		1,700	D	\$ 42.26
Common Stock	02/24/2005		S		2,200	D	\$ 42.27
Common Stock	02/24/2005		S		10,600	D	\$ 42.28

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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.

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(9-02)

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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 Securities (Instr. 3 and 4)
				Code	V (A) (D)	Date Exercisable Expiration Date	Title Amount Number of Shares
Stock Options (Right to Buy)	\$ 10.2667	02/24/2005		M	112,500	02/13/2002 <sup>(1)</sup> 02/13/2006	Common Stock 112,500
Stock Options (Right to Buy)	\$ 16.1333	02/24/2005		M	72,500	02/13/2004 <sup>(2)</sup> 02/13/2007	Common Stock 72,500
Stock Options (Right to Buy)	\$ 16.1333	02/25/2005		M	187,500	02/13/2004 <sup>(2)</sup> 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.

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