

DAVITA INC
Form 4
September 02, 2005

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 *
MELLO JOSEPH C

(Last) (First) (Middle)
601 HAWAII ST.
(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)
09/01/2005

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)
Chief Operations 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	09/01/2005		M ⁽¹⁾		37,500	A	\$ 15.5
Common Stock	09/01/2005		S ⁽²⁾		300	D	\$ 45.84
Common Stock	09/01/2005		S ⁽²⁾		400	D	\$ 45.85
Common Stock	09/01/2005		S ⁽²⁾		800	D	\$ 45.86
Common Stock	09/01/2005		S ⁽²⁾		1,000	D	\$ 45.87

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Common Stock	09/01/2005	<u>S(2)</u>	900	D	\$ 45.88	135,435	D
Common Stock	09/01/2005	<u>S(2)</u>	4,100	D	\$ 45.89	131,335	D
Common Stock	09/01/2005	<u>S(2)</u>	1,300	D	\$ 45.9	130,035	D
Common Stock	09/01/2005	<u>S(2)</u>	700	D	\$ 45.91	129,335	D
Common Stock	09/01/2005	<u>S(2)</u>	1,600	D	\$ 45.94	127,735	D
Common Stock	09/01/2005	<u>S(2)</u>	1,300	D	\$ 45.95	126,435	D
Common Stock	09/01/2005	<u>S(2)</u>	800	D	\$ 45.96	125,635	D
Common Stock	09/01/2005	<u>S(2)</u>	400	D	\$ 45.97	125,235	D
Common Stock	09/01/2005	<u>S(2)</u>	400	D	\$ 45.98	124,835	D
Common Stock	09/01/2005	<u>S(2)</u>	2,900	D	\$ 45.99	121,935	D
Common Stock	09/01/2005	<u>S(2)</u>	5,000	D	\$ 46	116,935	D
Common Stock	09/01/2005	<u>S(2)</u>	5,100	D	\$ 46.01	111,835	D
Common Stock	09/01/2005	<u>S(2)</u>	2,700	D	\$ 46.02	109,135	D
Common Stock	09/01/2005	<u>S(2)</u>	1,500	D	\$ 46.03	107,635	D
Common Stock	09/01/2005	<u>S(2)</u>	700	D	\$ 46.04	106,935	D
Common Stock	09/01/2005	<u>S(2)</u>	1,300	D	\$ 46.05	105,635	D
Common Stock	09/01/2005	<u>S(2)</u>	800	D	\$ 46.06	104,835	D
Common Stock	09/01/2005	<u>S(2)</u>	1,400	D	\$ 46.07	103,435	D
Common Stock	09/01/2005	<u>S(2)</u>	500	D	\$ 46.08	102,935	D
Common Stock	09/01/2005	<u>S(2)</u>	300	D	\$ 46.09	102,635	D
	09/01/2005	<u>S(2)</u>	300	D	\$ 46.1	102,335	D

Common
Stock

Common Stock	09/01/2005	S ⁽²⁾	200	D	\$ 46.12	102,135	D
Common Stock	09/01/2005	S ⁽²⁾	200	D	\$ 46.13	101,935	D
Common Stock	09/01/2005	S ⁽²⁾	600	D	\$ 46.16	101,335	D

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 Securities (Instr. 3 and 4)		
						Date Exercisable	Expiration Date	Title	Amount or Number of Shares
				Code	V (A) (D)				
Stock Options (Right to Buy)	\$ 15.5	09/01/2005		M ⁽³⁾	37,500	02/08/2004	02/08/2007	Common Stock	37,500

Reporting Owners

Reporting Owner Name / Address

Relationships

MELLO JOSEPH C
601 HAWAII ST.
EL SEGUNDO, CA 90245

Director 10% Owner Officer Other

Chief Operations Officer

Signatures

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

09/02/2005

**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) The acquisition of these shares was completed in accordance with a 10b5-1 Sales Plan.

(2) The sale of these shares was completed in accordance with a 10b5-1 Sales Plan.

(3) The exercise of these options was completed in accordance with a 10b5-1 Sales Plan.

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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