THIRY KENT J Form 4 August 23, 2007

### FORM 4

#### OMB APPROVAL

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

OMB Number: 3235-0287

Check this box if no longer subject to Section 16. Form 4 or

Expires: January 31, 2005

# STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Estimated average burden hours per response... 0.5

Form 4 or Form 5 obligations may continue. See Instruction

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

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person * THIRY KENT J			2. Issuer Name <b>and</b> Ticker or Trading Symbol DAVITA INC [DVA]	5. Relationship of Reporting Person(s) to Issuer  (Check all applicable)		
(Last)	(Last) (First) (Middle)		3. Date of Earliest Transaction	(energian approacie)		
601 HAWAII STREET			(Month/Day/Year) 08/21/2007	_X_ Director 10% Owner _X_ Officer (give title Other (specify below) Chairman & Chief Exec. Officer		
(Street)			4. If Amendment, Date Original	6. Individual or Joint/Group Filing(Check		
EL SEGUNDO	), CA 90245	5	Filed(Month/Day/Year)	Applicable Line) _X_ Form filed by One Reporting Person Form filed by More than One Reporting Person		

(City)	(State)	(Zip) Tab	le I - Non-	Derivative	Secui	rities Acquir	ed, Disposed of,	or Beneficiall	y Owned
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. 4. Securities Acquired (A) Transaction Disposed of (D) Code (Instr. 3, 4 and 5) (Instr. 8)  (A) or			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)	
Common Stock	08/21/2007		Code V M	Amount 21,432	(D)	Price \$ 30.0667	195,254	D	
Common Stock	08/21/2007		S	200	D	\$ 54.905	195,054	D	
Common Stock	08/21/2007		S	2,400	D	\$ 54.9	192,654	D	
Common Stock	08/21/2007		S	100	D	\$ 54.895	192,554	D	
Common Stock	08/21/2007		S	900	D	\$ 54.89	191,654	D	

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Common Stock	08/21/2007	S	400	D	\$ 54.88	191,254	D	
Common Stock	08/21/2007	S	1,900	D	\$ 54.87	189,354	D	
Common Stock	08/21/2007	S	5,332	D	\$ 54.86	184,022	D	
Common Stock	08/21/2007	S	3,922	D	\$ 54.85	180,100	D	
Common Stock	08/21/2007	S	878	D	\$ 54.84	179,222	D	
Common Stock	08/21/2007	S	400	D	\$ 54.83	178,822	D	
Common Stock	08/21/2007	S	600	D	\$ 54.82	178,222	D	
Common Stock	08/21/2007	S	300	D	\$ 54.81	177,922	D	
Common Stock	08/21/2007	S	200	D	\$ 54.8	177,722	D	
Common Stock	08/21/2007	S	300	D	\$ 54.78	177,422	D	
Common Stock	08/21/2007	S	400	D	\$ 54.77	177,022	D	
Common Stock	08/21/2007	S	2,000	D	\$ 54.76	175,022	D	
Common Stock	08/21/2007	S	1,200	D	\$ 54.75	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.

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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	2.	3. Transaction Date	3A. Deemed	4.	5. Number of	6. Date Exercisable and	7. Title and Amount o
Derivative	Conversion	(Month/Day/Year)	Execution Date, if	Transaction	orDerivative	Expiration Date	Underlying Securities
Security	or Exercise		any	Code	Securities	(Month/Day/Year)	(Instr. 3 and 4)
(Instr. 3)	Price of		(Month/Day/Year)	(Instr. 8)	Acquired (A)		
	Derivative				or Disposed of		
	Security				(D)		
					(Instr. 3, 4,		

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and 5)

					/				
		Code	V	(A)	(D)	Date Exercisable	Expiration Date	Title	Amount or Number of Share
Stock Options (Right to Buy)  \$ 30.06	667 08/21/2007	М			21,432	03/24/2005(1)	03/24/2009	Common Stock	21,432

## **Reporting Owners**

Reporting Owner Name / Address		Kelationships				
	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

\*\*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.

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