

THIRY KENT J  
Form 4  
May 09, 2011

**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)  
C/O DAVITA INC., 1551  
WEWATTA ST.  
(Street)

DENVER, CO 80202

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol  
DAVITA INC [DVA]

3. Date of Earliest Transaction  
(Month/Day/Year)  
05/05/2011

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	05/05/2011		M		299,988	A	\$ 52.76
Common Stock	05/05/2011		F		185,333	D	\$ 85.4
Common Stock	05/05/2011		S		114,655	D	\$ 85.0934 (1)
Common Stock	05/06/2011		M		250,012	A	\$ 52.76
Common Stock	05/06/2011		F		156,159	D	\$ 84.47

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Common Stock 05/06/2011 S 93,853 D 84.2458 192,127 D  
 \$  
(2)

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 Underlying Security (Instr. 3 and 4)	
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title
Stock Appreciation Right	\$ 52.76	05/05/2011		M	299,988	03/16/2008 <sup>(3)</sup>	03/16/2012	Common Stock
Stock Appreciation Right	\$ 52.76	05/06/2011		M	250,012	03/16/2008	03/16/2012	Common Stock

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
THIRY KENT J C/O DAVITA INC. 1551 WEWATTA ST. DENVER, CO 80202	X		Chairman & Chief Exec. Officer	

## Signatures

/s/ Kim M. Rivera  
 Attorney-in-Fact 05/09/2011

\*\*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)

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The range of prices for the sale of these shares was \$84.50 - \$85.55. The filer undertakes to provide staff, the issuer, or a security holder full information regarding the number of shares sold at each separate price.

- (2) The range of prices for the sale of these shares was \$84.00 - \$84.91. The filer undertakes to provide staff, the issuer, or a security holder full information regarding the number of shares sold at each separate price.
- (3) Stock Appreciation Right, pursuant to the 2002 Equity Compensation Plan, which vest 25% on the first anniversary of the grant date, 8.33% on the 20th month following the grant date, and 8.33% every four months thereafter.

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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