

DAVITA INC  
Form 4  
March 03, 2006

**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)  
**03/01/2006**

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 Operating 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 Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|-----------------------------------|
|                                 |                                      |  | Code                           | V   | Amount or Price   |  |                                   |
| Common Stock                    | 03/01/2006                           |  | M <sup>(1)</sup>               |   | 37,500 A \$ 15.5  | 78,835   | D                                 |
| Common Stock                    | 03/01/2006                           |  | S <sup>(2)</sup>               |   | 1,900 D \$ 58.34  | 76,935   | D                                 |
| Common Stock                    | 03/01/2006                           |  | S <sup>(2)</sup>               |   | 3,500 D \$ 58.3   | 73,435   | D                                 |
| Common Stock                    | 03/01/2006                           |  | S <sup>(2)</sup>               |   | 1,500 D \$ 58.29  | 71,935   | D                                 |
| Common Stock                    | 03/01/2006                           |  | S <sup>(2)</sup>               |   | 3,000 D \$ 58.28  | 68,935   | D                                 |

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|              |            |             |       |   |          |        |   |
|--------------|------------|-------------|-------|---|----------|--------|---|
| Common Stock | 03/01/2006 | <u>S(2)</u> | 500   | D | \$ 58.27 | 68,435 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 500   | D | \$ 58.26 | 67,935 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 1,100 | D | \$ 58.21 | 66,835 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 200   | D | \$ 58.2  | 66,635 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 500   | D | \$ 58.19 | 66,135 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 800   | D | \$ 58.18 | 65,335 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 100   | D | \$ 58.16 | 65,235 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 1,000 | D | \$ 58.15 | 64,235 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 600   | D | \$ 58.14 | 63,635 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 400   | D | \$ 58.13 | 63,235 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 100   | D | \$ 58.11 | 63,135 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 1,900 | D | \$ 58.09 | 61,235 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 7,800 | D | \$ 58.08 | 53,435 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 2,100 | D | \$ 58.07 | 51,335 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 1,000 | D | \$ 58.06 | 50,335 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 3,500 | D | \$ 58.05 | 46,835 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 400   | D | \$ 58.04 | 46,435 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 100   | D | \$ 58.03 | 46,335 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 3,000 | D | \$ 57.96 | 43,335 | D |
| Common Stock | 03/01/2006 | <u>S(2)</u> | 2,000 | D | \$ 57.91 | 41,335 | D |

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

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(9-02)

**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) | Amount or Number of Shares |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|----------------------------|
| Stock Options (Right to Buy)               | \$ 15.5  | 03/01/2006                           |  | M <sup>(3)</sup>               | 37,500  | 02/08/2004 02/08/2007                                    | Common Stock  | 37,500                     |

## Reporting Owners

| Reporting Owner Name / Address                           | Relationships |           |                         |       |
|--|---------------|-----------|-------------------------|-------|
|  | Director      | 10% Owner | Officer                 | Other |
| MELLO JOSEPH C<br>601 HAWAII ST.<br>EL SEGUNDO, CA 90245 |               |           | Chief Operating Officer |       |

## Signatures

/s/ Corinna B. Polk  
Attorney-in-Fact  
Date: 03/03/2006

\*\*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.

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