DAVITA INC Form 4 June 03, 2005

FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549 STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

Check this box if no longer subject to Section 16. Form 4 or Form 5

SECURITIES obligations may continue.

See Instruction 1(b).

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

(First) (Middle)

601 HAWAII ST.

(Last)

(Street)

2. Issuer Name and Ticker or Trading Symbol

DAVITA INC [DVA]

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

06/01/2005

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to

Issuer

(Check all applicable)

OMB APPROVAL

3235-0287

January 31,

2005

0.5

OMB

Number:

Expires:

response...

Estimated average

burden hours per

Director 10% Owner _X__ Officer (give title) _ Other (specify below)

Chief Operations Officer

6. Individual or Joint/Group Filing(Check

Applicable Line)

X Form filed by One Reporting Person Form filed by More than One Reporting

Person

EL SEGUNDO, CA 90245

(City)	(State)	(Zip) 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)	Code (Instr. 3, 4 and 5) ar) (Instr. 8)			of (D)	5. Amount of Securities Beneficially Owned Following Reported	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	Transaction(s) (Instr. 3 and 4)			
Common Stock	06/01/2005		M <u>(1)</u>	37,500	A	\$ 15.5	138,835	D		
Common Stock	06/01/2005		S(2)	3,500	D	\$ 45.9	135,335	D		
Common Stock	06/01/2005		S(2)	4,300	D	\$ 45.95	131,035	D		
Common Stock	06/01/2005		S(2)	700	D	\$ 45.96	130,335	D		
Common Stock	06/01/2005		S(2)	6,000	D	\$ 46	124,335	D		

Edgar Filing: DAVITA INC - Form 4

Common Stock	06/01/2005	S(2)	1,300	D	\$ 46.01	123,035	D
Common Stock	06/01/2005	S(2)	4,500	D	\$ 46.03	118,535	D
Common Stock	06/01/2005	S(2)	100	D	\$ 46.04	118,435	D
Common Stock	06/01/2005	S(2)	4,600	D	\$ 46.05	113,835	D
Common Stock	06/01/2005	S(2)	2,300	D	\$ 46.08	111,535	D
Common Stock	06/01/2005	S(2)	700	D	\$ 46.09	110,835	D
Common Stock	06/01/2005	S(2)	1,100	D	\$ 46.2	109,735	D
Common Stock	06/01/2005	S(2)	100	D	\$ 46.21	109,635	D
Common Stock	06/01/2005	S(2)	3,000	D	\$ 46.23	106,635	D
Common Stock	06/01/2005	S(2)	3,000	D	\$ 46.24	103,635	D
Common Stock	06/01/2005	S(2)	1,500	D	\$ 46.25	102,135	D
Common Stock	06/01/2005	S(2)	800	D	\$ 46.26	101,335	D

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

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

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 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. Transacti Code (Instr. 8)	5. Number of conDerivative Securities Acquired (A) or Disposed (D) (Instr. 3, 4, and 5)	Expiration I (Month/Day	6. Date Exercisable and Expiration Date (Month/Day/Year)		Amount of Securities 14)
				Code V	' (A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares

Stock

Options (Right to $M_{\underline{0}}^{(3)}$ \$15.5 06/01/2005 $M_{\underline{0}}^{(3)}$ 37,500 02/08/2004 02/08/2007 $M_{\underline{0}}^{(3)}$ 37,500 02/08/2004 02/08/2007 $M_{\underline{0}}^{(3)}$ 37,500

Buy)

Reporting Owners

Reporting Owner Name / Address Relationships

Director 10% Owner Officer Other

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

Chief Operations Officer

Signatures

/s/ Corinna B. Polk Attorney-in-Fact 06/03/2005

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

Reporting Owners 3