

DAVITA INC  
Form 4  
August 11, 2008

**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 \*  
Schohl Joseph

(Last) (First) (Middle)  
601 HAWAII STREET  
(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)  
08/07/2008

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)  
VP, Gen. Counsel & Secretary

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	(D)	Price
Common Stock	08/07/2008		M		10,416	A	\$ 49.7
Common Stock	08/07/2008		F		8,749	D	\$ 59.17
Common Stock	08/07/2008		S		1,667	D	\$ 58.8277 (1)
Common Stock	08/07/2008		M		12,000	A	\$ 33
Common Stock	08/07/2008		S		12,000	D	\$ 58.8277

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(1)

Common Stock	08/07/2008	M	6,666	A	\$ 46	10,833	D
Common Stock	08/07/2008	S	6,666	D	\$ 58.8277	4,167	D
Common Stock	08/08/2008	M	10,000	A	\$ 46	14,167	D
Common Stock	08/08/2008	S	10,000	D	\$ 58.4777	4,167	D

(1)

(1)

(2)

(2)

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 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 Security (Instr. 3 and 4)
Stock Appreciation Right	\$ 49.7	08/07/2008		M	10,416	07/01/2007 <sup>(3)</sup> 07/01/2011	Common Stock
Stock Option (Right to Buy)	\$ 33	08/07/2008		M	12,000	11/18/2005 <sup>(4)</sup> 11/18/2009	Common Stock
Stock Option (Right to Buy)	\$ 46	08/07/2008		M	6,666	03/30/2007 <sup>(4)</sup> 09/22/2010	Common Stock
Stock Option (Right to Buy)	\$ 46	08/08/2008		M	10,000	03/30/2007 <sup>(4)</sup> 09/22/2010	Common Stock

## Reporting Owners

Reporting Owner Name / Address	Relationships			
	Director	10% Owner	Officer	Other
Schohl Joseph 601 HAWAII STREET EL SEGUNDO, CA 90245			VP, Gen. Counsel & Secretary	

## Signatures

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

08/11/2008

    \*\*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 range of prices for the sale of these shares was \$58.75 to \$58.98. The filer undertakes to provide the 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 \$58.30 to \$58.75. The filer undertakes to provide the staff, the issuer, or a security holder full information regarding the number of shares sold at each separate price.
- (3) Stock Appreciation Rights, pursuant to the 2002 Equity Compensation Plan, which vests 50% on 3/30/07, and 8.33% every 4 months thereafter.
- (4) Non-qualified stock options, pursuant to the 2002 Equity Compensation Plan, which vests 25% on the first anniversary of the grant date, 8.33% on the 20th month following the grant date, and 8.33% every 4 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. 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.