**Kogod Dennis** Form 4 August 08, 2012

## FORM 4

# **OMB APPROVAL**

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

OMB 3235-0287 Number:

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

Expires: STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF

January 31, 2005 Estimated average

0.5

Form 5 obligations may continue.

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 See Instruction

**SECURITIES** 

response...

burden hours per

1(b).

(Print or Type Responses)

1. Name and Kogod De	Symbol	2. Issuer Name <b>and</b> Ticker or Trading Symbol DAVITA INC [DVA]			5. Relationship of Reporting Person(s) to Issuer			
(Last)	(First)			Transaction		Director	all applicable)	
1551 WEV	`	(Month/Day/Year) 08/06/2012			Officer (give title Other (specify below)			
		4. If Amendment, Date Original Filed(Month/Day/Year)			6. Individual or Joint/Group Filing(Check Applicable Line) _X_ Form filed by One Reporting Person			
DENVER.				Pers	Form filed by Mo on	re than One Rep	orting	
(City)	(State)	(Zip) Ta	ble I - Non	-Derivative Securities Acq	uirec	d, Disposed of,	or Beneficially	y Owned
1.Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transacti Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)		5. Amount of Securities Beneficially Owned Following Reported	6. Ownership Form: Direct (D) or Indirect	7. Nature Indirect Beneficia Ownershi (Instr. 4)

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			Code V	Amount	(A) or (D)	Price	Reported Transaction(s) (Instr. 3 and 4)	(I) (Instr. 4)	
Common Stock	08/06/2012		M	66,667	A	\$ 50.37	105,854	D	
Common Stock	08/06/2012		F	33,821	D	\$ 99.29	72,033	D	
Common Stock	08/06/2012		S	32,846	D	\$ 96	39,187	D	
Common Stock	08/06/2012		M	115,851	A	\$ 46.26	155,038	D	
Common Stock	08/06/2012		F	53,976	D	\$ 99.29	101,062	D	

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Common Stock	08/06/2012	S	61,875	D	\$ 96.92 (1)	39,187	D
Common Stock	08/07/2012	M	46,649	A	\$ 46.26	85,836	D
Common Stock	08/07/2012	F	22,543	D	\$ 95.73	63,293	D
Common Stock	08/07/2012	S	24,106	D	\$ 96.0117 (2)	39,187	D
Common Stock	08/07/2012	M	60,375	A	\$ 63.4	99,562	D
Common Stock	08/07/2012	F	39,986	D	\$ 95.73	59,576	D
Common Stock	08/07/2012	S	20,389	D	\$ 97.0066 ( <u>3)</u>	39,187	D

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. Transactic Code (Instr. 8)	5. Number of onDerivative Securities Acquired (A) Disposed of ((Instr. 3, 4, at 5)	Expiration Date (Month/Day/Yea or D)	6. Date Exercisable and Expiration Date (Month/Day/Year)	
				Code V	(A) (D)	Date Exercisable	Expiration Date	Title 3
Stock Appreciation Right	\$ 50.37	08/06/2012		M	66,66	7 02/28/2009 <u>(4</u>	02/28/2013	Common Stock
Stock Appreciation Right	\$ 46.26	08/06/2012		M	115,8	51 03/02/2010 <u>(4</u>	03/02/2014	Common Stock
Stock Appreciation Right	\$ 46.26	08/07/2012		M	46,64	.9 03/02/2010 <u>(4</u>	03/02/2014	Common Stock
Stock	\$ 63.4	08/07/2012		M	60,37	25 03/31/2011 <u>(5)</u>	03/31/2015	Common

Appreciation Stock Right

### **Reporting Owners**

Reporting Owner Name / Address Relationships

Director 10% Owner Officer Other

**Kogod Dennis** 

1551 WEWATTA ST. Chief Operating Officer

DENVER, CO 80202

**Signatures** 

/s/ Kim M. Rivera
Attorney-in-Fact
08/08/2012

\*\*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 \$96.00 \$99.36. 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 \$96.00 \$96.08. 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) The range of prices for the sale of these shares was \$97.00- \$97.09. The filer undertakes to provide staff, the issuer or a security holder full information regarding the number of shares sold at each separate price.
- Stock Appreciation Right, pursuant to the DaVita Inc. 2002 Equity Compensation Plan, (as amended and restated, the "DaVita Inc. 2011 (4) Incentive Award Plan," effective June 6, 2011), which vested 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.
- Stock Appreciation Right, pursuant to the DaVita Inc. 2002 Equity Compensation Plan, (as amended and restated, the "DaVita Inc. 2011 (5) Incentive Award Plan," effective June 6, 2011), which vested 25% on the first anniversary of the grant date and 6.25% every three months

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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