

DAVITA HEALTHCARE PARTNERS INC.

Form 4

November 08, 2013

FORM 4

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

OMB APPROVAL

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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 *
WESCHLER, R. TED

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

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)
404 EAST MAIN STREET
(Street)

3. Date of Earliest Transaction (Month/Day/Year)
11/06/2013

____ Director
____ Officer (give title below) 10% Owner
 Other (specify below)
Member of 10% owner group

CHARLOTTESVILLE, VA 22902
(City) (State) (Zip)

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

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 or Price (A) or (D) | | |
| Common Stock | 11/06/2013 | | P | | \$ 4,629 53.2486 (2) | I | See footnote 1. (1) |
| Common Stock | 11/06/2013 | | P | | \$ 1,302,510 54.6099 (3) | I | See footnote 1. (1) |
| Common Stock | 11/06/2013 | | P | | \$ 1,108,661 54.9126 (4) | I | See footnote 1. (1) |
| Common Stock | 11/07/2013 | | P | | \$ 509,494 55.7468 | I | See footnote |

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| | | | | | <u>(5)</u> | | | | 1. <u>(1)</u> |
|--------------|------------|--|---|---------|------------|---------------|------------|---|--|
| Common Stock | 11/08/2013 | | P | 775,000 | A | \$ 55.9847 | 35,147,124 | I | See footnote 1. <u>(1)</u> |
| Common Stock | | | | | <u>(6)</u> | | 1,095,903 | D | |
| Common Stock | | | | | | | 24,000 | I | See footnotes 7, 10 and 11. <u>(7)</u> <u>(10)</u> <u>(11)</u> |
| Common Stock | | | | | | | 25,000 | I | See footnotes 8, 10 and 11. <u>(8)</u> <u>(10)</u> <u>(11)</u> |
| Common Stock | | | | | | | 20,685 | I | See footnotes 9, 10 and 11. <u>(9)</u> <u>(10)</u> <u>(11)</u> |

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) | 8. Price of Derivative Security (Instr. 5) | 9. Nu |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|----------------------------|
| | | | | Code | V (A) (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|---|---------------|-----------|---------|---------------------------|
| | Director | 10% Owner | Officer | Other |
| WESCHLER, R. TED 404 EAST MAIN STREET CHARLOTTESVILLE, VA 22902 | | | | Member of 10% owner group |

Signatures

R. Ted Weschler 11/08/2013

__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).
- These shares of the issuer's Common Stock ("Shares") were acquired by certain subsidiaries and subsidiary benefit plans of Berkshire Hathaway Inc. ("Berkshire"). As a result of an agreement entered into on May 24, 2013 between Berkshire and the reporting person with respect to the reporting person's holdings of, and future transactions in, Shares, Berkshire and the reporting person have agreed to file as a "group" under Section 13 of the Securities Exchange Act of 1934, as amended ("the Exchange Act"). The reporting person disclaims beneficial ownership of Shares owned by Berkshire, Berkshire's subsidiaries and its subsidiary pension plans. This report shall not be deemed an admission that the reporting person is the beneficial owner of any Shares that are not directly owned by the reporting person for purposes of Section 16 of the Exchange Act or for any other purpose.
- (1) The price reported in Column 4 is a weighted average price. These Shares were purchased in multiple transactions at prices ranging from \$52.78 to \$53.64. The reporting person undertakes to provide to DaVita HealthCare Partners Inc. ("DaVita HCP"), any security holder of DaVita HCP, or the staff of the Securities and Exchange Commission, upon request, full information regarding the number of Shares sold at each separate price within the range set forth in footnotes 2-6 to this Form 4.
- (2) The price reported in Column 4 is a weighted average price. These Shares were purchased in multiple transactions at prices ranging from \$53.78 to \$54.775.
- (3) The price reported in Column 4 is a weighted average price. These Shares were purchased in multiple transactions at prices ranging from \$54.78 to \$55.19.
- (4) The price reported in Column 4 is a weighted average price. These Shares were purchased in multiple transactions at prices ranging from \$55.04 to \$56.005.
- (5) The price reported in Column 4 is a weighted average price. These Shares were purchased in multiple transactions at prices ranging from \$55.49 to \$56.41.
- (6) These shares are owned by a daughter of the reporting person.
- (7) These shares are owned by the Rita E. Weschler Trust, in which the reporting person may have a remainder interest.
- (8) These shares are owned by the Rita E. and Frank J. Weschler Educational Trust, of which the reporting person's daughters are beneficiaries.
- (9) The reporting person has or shares trading authority over these Shares. In addition, the reporting person has or shares trading authority over an aggregate of 26,002 Shares held by certain relatives of the reporting person, but in which the reporting person has no pecuniary interest.
- (10) The reporting person may be deemed presently to beneficially own, but only to the extent he has a pecuniary interest in, these Shares. The reporting person disclaims beneficial ownership of these Shares except to the extent of his pecuniary interest therein, if any, and this report shall not be deemed an admission that the reporting person is the beneficial owner of these shares for purposes of Section 16 of the Exchange Act or for any other purpose.
- (11) On September 6, 2013, the common stock of DaVita HCP split 2-for-1.
- (12)

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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