DAVITA INC Form 4 May 25, 2005

FORM 4

Check this box

if no longer

Section 16.

Form 4 or

subject to

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF **SECURITIES**

Form 5 Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, obligations Section 17(a) of the Public Utility Holding Company Act of 1935 or Section may continue. 30(h) of the Investment Company Act of 1940 See Instruction

1(b).

(Print or Type Responses)

1. Name and Address of Reporting Person * 5. Relationship of Reporting Person(s) to 2. Issuer Name and Ticker or Trading THIRY KENT J Issuer Symbol DAVITA INC [DVA] (Check all applicable) (Last) (First) (Middle) 3. Date of Earliest Transaction (Month/Day/Year) _X_ Director 10% Owner Other (specify _X__ Officer (give title **601 HAWAII STREET** 05/25/2005 below) Chairman & Chief Exec. Officer (Street) 4. If Amendment, Date Original 6. Individual or Joint/Group Filing(Check Filed(Month/Day/Year) Applicable Line) _X_ Form filed by One Reporting Person Form filed by More than One Reporting

Person

EL SEGUNDO, CA 90245

| (City) | (State) | (Zip) Tal | ble I - Non- | -Derivative | Secur | ities Acquire | ed, Disposed of, o | 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. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or or Disposed of (D) (Instr. 3, 4 and 5) (A) or | | | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
| | | | Code V | Amount | (D) | Price | (Instr. 3 and 4) | | |
| Common Stock | 05/25/2005 | | M | 100,000 | A | \$ 16.1333 | 325,072 | D | |
| Common Stock | 05/25/2005 | | S | 34,600 | D | \$ 43.65 | 290,472 | D | |
| Common Stock | 05/25/2005 | | S | 9,700 | D | \$ 43.66 | 280,772 | D | |
| Common Stock | 05/25/2005 | | S | 4,400 | D | \$ 43.67 | 276,372 | D | |
| Common Stock | 05/25/2005 | | S | 1,600 | D | \$ 43.68 | 274,772 | D | |

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| Common Stock | 05/25/2005 | S | 2,100 | D | \$ 43.69 | 272,672 | D |
|-----------------|------------|---|--------|---|----------|---------|---|
| Common Stock | 05/25/2005 | S | 27,500 | D | \$ 43.7 | 245,172 | D |
| Common Stock | 05/25/2005 | S | 5,500 | D | \$ 43.71 | 239,672 | D |
| Common Stock | 05/25/2005 | S | 3,300 | D | \$ 43.72 | 236,372 | D |
| Common Stock | 05/25/2005 | S | 3,200 | D | \$ 43.73 | 233,172 | D |
| Common Stock | 05/25/2005 | S | 200 | D | \$ 43.74 | 232,972 | D |
| Common Stock | 05/25/2005 | S | 1,700 | D | \$ 43.75 | 231,272 | D |
| Common Stock | 05/25/2005 | S | 3,500 | D | \$ 43.76 | 227,772 | D |
| Common Stock | 05/25/2005 | S | 100 | D | \$ 43.77 | 227,672 | D |
| Common Stock | 05/25/2005 | S | 2,600 | D | \$ 43.78 | 225,072 | D |
| Common Stock | | | | | | 22,743 | D |

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

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Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of | 2. | 3. Transaction Date | 3A. Deemed | 4. 5. Number of | | 6. Date Exercisable and | | 7. Title and Amount | | |
|---------------------------------------|-------------|---------------------|--------------------|-----------------------|-------------------|-------------------------|------------------|----------------------|------------------|-------------------------|
| Derivative | Conversion | (Month/Day/Year) | Execution Date, if | TransactionDerivative | | Expiration Date | | Underlying Securitie | | |
| Security | or Exercise | se any | | Code | Securities | | (Month/Day/Year) | | (Instr. 3 and 4) | |
| (Instr. 3) | Price of | | (Month/Day/Year) | (Instr. 8) | Acqu | ired (A) or | | | | |
| | Derivative | | | | Disp | osed of (D) | | | | |
| | Security | | | | (Instr. 3, 4, and | | | | | |
| | | | | | 5) | | | | | |
| | | | | Code V | (A) | (D) | Date Exercisable | Expiration Date | Title | Amous Numb Shares |
| Stock Options (Right to Buy) | \$ 16.1333 | 05/25/2005 | | M | | 100,000 | 02/13/2004(1) | 02/13/2007 | Common Stock | 100,0 |

Reporting Owners

Reporting Owner Name / Address Relationships

Director 10% Owner Officer Other

THIRY KENT J

601 HAWAII STREET X Chairman & Chief Exec. Officer

EL SEGUNDO, CA 90245

Signatures

/s/ Corinna B. Polk Attorney-in-Fact 05/25/2005

**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) Non-Qualified Stock Options which vest 375,000 on 02/13/04, 187,500 on 05/13/05, and 187,500 on 02/13/06.

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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