

Shapiro David T  
 Form 4  
 September 10, 2012

**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 \*  
 Shapiro David T

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

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

C/O DAVITA INC., 2000 16TH STREET

3. Date of Earliest Transaction (Month/Day/Year)  
 09/06/2012

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

Chief Compliance Officer

(Street)

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

DENVER, CO 80202

(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)	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 Ownership (Instr. 4)
			Code	V	Amount or Price		
Common Stock	09/06/2012		M		4,167 A \$ 42.48	9,074	D
Common Stock	09/06/2012		F		1,766 D \$ 100.29	7,308	D
Common Stock	09/06/2012		S <sup>(1)</sup>		2,401 D \$ 100.41	4,907	D
Common Stock	09/06/2012		M		19,292 A \$ 46.26	24,199	D
Common Stock	09/06/2012		F		8,899 D \$ 100.29	15,300	D

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Common Stock	09/06/2012	S <sup>(1)</sup>	10,393	D	\$ 100.41	4,907	D
Common Stock	09/06/2012	M	6,250	A	\$ 63.4	11,157	D
Common Stock	09/06/2012	F	3,952	D	\$ 100.29	7,205	D
Common Stock	09/06/2012	S <sup>(1)</sup>	2,298	D	\$ 100.41	4,907	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.**

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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 Security (Instr. 3 and 4)
Stock Appreciation Right	\$ 42.48	09/06/2012		M	4,167	03/17/2009 <sup>(2)</sup> 03/17/2013	Common Stock 4
Stock Appreciation Right	\$ 46.26	09/06/2012		M	19,292	03/02/2010 <sup>(2)</sup> 03/02/2014	Common Stock 19
Stock Appreciation Right	\$ 63.4	09/06/2012		M	6,250	03/31/2012 <sup>(3)</sup> 03/31/2015	Common Stock 6

## Reporting Owners

Reporting Owner Name / Address	Relationships
Shapiro David T C/O DAVITA INC. 2000 16TH STREET	Director 10% Owner Officer Other Chief Compliance Officer

DENVER, CO 80202

## Signatures

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

09/10/2012

\_\_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 sales reported on this Form 4 were effected pursuant to a Rule 10b5-1 trading plan adopted by the reporting person on 9/16/2011.  
Stock Appreciation Right, pursuant to the DaVita Inc. 2002 Equity Compensation Plan, (as amended and restated, the "DaVita Inc. 2011 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.
- (2) Incentive Award Plan, pursuant to the DaVita Inc. 2002 Equity Compensation Plan, (as amended and restated, the "DaVita Inc. 2011 Incentive Award Plan," effective June 6, 2011), which vested 25% on the second anniversary of the grant date, and 8.33% every 3 months thereafter.
- (3) Incentive Award Plan, pursuant to the DaVita Inc. 2002 Equity Compensation Plan, (as amended and restated, the "DaVita Inc. 2011 Incentive Award Plan," effective June 6, 2011), which vested 25% on the second anniversary of the grant date, and 8.33% every 3 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.