

Edgar Filing: DAVITA INC - Form 4

DAVITA INC
 Form 4
 March 08, 2002

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 / OMB APPROVAL /
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 / hours per response..... 0.5 /
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 | FORM 4 | UNITED STATES SECURITIES AND EXCHANGE COMMISSION
 +-----+ WASHINGTON, D.C. 20549

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

[] Check this box if
 no longer subject
 to Section 16.
 Form 4 or Form 5
 obligations may
 continue. See
 Instruction 1(b).

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(f) of the Investment Company Act of 1940

(Print or Type Responses)

-
1. Name and Address of Reporting Person*
 Whitney Richard K

 (Last) (First) (Middle)
 21250 Hawthorne Bl. # 800

 (Street)
 Torrance CA 90503

 (City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol Davita Inc. (DVA)

3. I.R.S. Identification Number of Reporting Person, if an entity
 (voluntary)

4. Statement for Month/Year 02/2002

5. If Amendment, Date of Original (Month/Year)

6. Relationship of Reporting Person(s) to Issuer (Check all applicable)
 ___ Director X Officer ___ 10% Owner ___ Other
 --- (give title below) (specify below)
 Chief Financial Officer

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7. 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. Trans-action Date (Month/Day/Year)	3. Trans-action Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned at End of Month (Instr. 3 a)
			V	Amount	(A) or (D)	
Common Stock	02/04/02	/1/M		5,000	A	\$ 2.6875
Common Stock	02/04/02	/2/S		5,000	D	\$ 24.00
Common Stock	02/05/02	/1/M		5,000	A	\$ 2.6875
Common Stock	02/05/02	/2/S		5,000	D	\$ 23.96
Common Stock	02/07/02	/1/M		5,000	A	\$ 2.6875

(Over)

SEC 1474 (3-99)

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

* If this form is filed by more than one reporting person, see Instruction 4(b)(v).

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(Print or Type Responses)

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 Whitney Richard K.

 (Last) (First) (Middle)

 (Street)

 (City) (State) (Zip)
2. Issuer Name and Ticker or Trading Symbol

3. I.R.S. Identification Number of Reporting Person, if an entity
 (Voluntary)

4. Statement for Month/Year

5. If Amendment, Date of Original (Month/Year)

6. Relationship of Reporting Person(s) to Issuer (Check all applicable)
 Director Officer 10% Owner Other
 (give title below) (specify below)

7. Individual or Joint/Group Filing (Check Applicable Line)
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Table I--Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Trans-action Date (Month/Day/Year)	3. Trans-action Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned at End of Month (Instr. 3 a)
			V	Amount	(A) or (D)	
COMMON STOCK	02/07/02	2S		5,000	D	\$23.74
COMMON STOCK	02/11/02	1M		5,000	A	\$2.6875
COMMON STOCK	02/11/02	2S		5,000	D	\$23.21
COMMON STOCK	02/12/02	1M		5,000	A	\$2.6875

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5. If Amendment, Date of Original (Month/Year) _____

6. Relationship of Reporting Person(s) to Issuer (Check all applicable)
 ___ Director ___ Officer ___ 10% Owner ___ Other
 (give title below) (specify below)

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 ___ 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. Trans- action Date (Month/Day/Year)	3. Trans- action Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)			5. Amount of Securities Beneficially Owned at End of Month (Instr. 3 a)
			Code	V	Amount	
COMMON STOCK	02/13/02	1M			5,000	A \$2.6875
COMMON STOCK	02/13/02	2S			5,000	D \$24.24
COMMON STOCK	02/19/02	1M			5,000	A \$2.6875
COMMON STOCK	02/19/02	2S			5,000	D \$24.00
COMMON STOCK	02/21/02	1M			5,000	A \$2.6875

(Over)

SEC 1474 (3-99)

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(Print or Type Responses)

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1. Name and Address of Reporting Person*
 Whitney Richard K

 (Last) (First) (Middle)

 (Street)

 (City) (State) (Zip)
2. Issuer Name and Ticker or Trading Symbol

3. I.R.S. Identification Number of Reporting Person, if an entity (voluntary)

4. Statement for Month/Year

5. If Amendment, Date of Original (Month/Year)

6. Relationship of Reporting Person(s) to Issuer (Check all applicable)
 Director Officer 10% Owner Other
 (give title below) (specify below)

7. 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	2. Trans- action	3. Trans- action	4. Securities Acquired (A) or Disposed of (D)	5. Amount of Securities
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Security (Instr. 3)	Date (Month/ Day/ Year)	Code (Instr. 8)		(Instr. 3, 4 and 5)			Beneficially Owned at End of Month (Instr. 3 a
		Code	V	Amount	(A) or (D)	Price	
COMMON STOCK	02/21/02	2S		5,000	D	\$ 23.93	
COMMON STOCK	02/22/02	1M		5,000	A	\$2.6875	
COMMON STOCK	02/22/02	2S		5,000	D	\$ 23.01	\$20,711

(Over)

SEC 1474 (3-99)

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FORM 4 (continued)

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)	4. Transaction Code (Instr. 8)	
			Code	V
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/04/02	4M	
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/05/02	4M	
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/07/02	4M	
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/11/02	4M	

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STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/12/02	4M
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/13/02	4M
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/19/02	4M
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/21/02	4M
STOCK OPTIONS (RIGHT TO BUY)	\$2.6875	02/22/02	4M

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

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. Number of Shares
Date Exercisable	Expiration Date	Title	Amount or Number of Shares		
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	
03/29/01	03/29/05	Common Stock	5,000	\$0	21

Explanation of Responses:

SEE ATTACHED PAGE

/s/ Richard K.

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** Intentional misstatements or omissions of facts constitute Federal Criminal Violations.
See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

**Signature of

Note: File three copies of this Form, one of which must be manually signed.
If space provided is insufficient, see Instruction 6 for procedure.

WHITNEY, RICHARD
21250 HAWTHORNE
TORRANCE, CA 90503
DAVITA INC. (DV)
02/2002

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FORM 4 (Continued) Explanation of Responses

Note: 1 The acquisition of these shares occurred in accordance with a Rule 10b5-1 Sales Plan.

Note: 2 The sale of these shares was completed in accordance with a Rule 10b5-1 Sales Plan.

Note: 3 Includes 1,229 Shares acquired under the Company's Employee Stock Purchase Plan in January 2002.

Note: 4 The exercise of these options was completed in accordance with a Rule 10b5-1 Sales Plan.