

Edgar Filing: THIRY KENT J - Form 4

THIRY KENT J  
Form 4  
August 30, 2002

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/ OMB APPROVAL /  
/-----/  
/ OMB Number: 3235-0287 /  
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| FORM 4 |  
+-----+

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

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  
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\*  
Thiry Kent J

(Last) (First) (Middle)

21250 Hawthorne Boulevard, Suite 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 12/2001

5. If Amendment, Date of Original (Month/Year) 01/2002

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

(give title below)

Chairman & CEO

7. Individual or Joint/Group Filing (Check Applicable Line)  
X 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

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| 1. Title of Security (Instr. 3) | 2. Transaction Date (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 at End of Month (Instr. 3 a) |
|---------------------------------|--------------------------------------|--------------------------------|-------------------------------------------------------------------|---|------------|-------------|-------------------------------------------------------------------------|
|                                 |                                      |                                | Code                                                              | V | Amount (D) | Price       |                                                                         |
| Common Stock                    | 02/13/2001                           | (1) A                          | V                                                                 |   | 81,168     | A \$ 0      |                                                                         |
| Common Stock                    | 12/12/2001                           | M                              |                                                                   |   | 108,000    | A \$ 5.1354 |                                                                         |
| Common Stock                    | 12/12/2001                           | S                              |                                                                   |   | 108,000    | D \$ 22.25  |                                                                         |
| Common Stock                    | 12/14/2001                           | M                              |                                                                   |   | 20,000     | A \$ 5.1354 |                                                                         |
| Common Stock                    | 12/14/2001                           | S                              |                                                                   |   | 20,000     | D \$ 22.19  |                                                                         |
| Common Stock                    | 12/19/2001                           | M                              |                                                                   |   | 14,000     | A \$ 5.1354 |                                                                         |
| Common Stock                    | 12/19/2001                           | S                              |                                                                   |   | 14,000     | D \$ 23.47  | 85,334                                                                  |
| Common Stock                    | 12/28/2001                           | G                              | V                                                                 |   | 6,000      | D \$ 0      | 49,500                                                                  |

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

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

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 control number. (Over) SEC 1474 (3-99)

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 Deriv- | 3. Transaction Date (Month/ | 4. Transaction Code (Instr. 8) |
|--------------------------------------------|-------------------------------------------|-----------------------------|--------------------------------|
|--------------------------------------------|-------------------------------------------|-----------------------------|--------------------------------|

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|                              | ative<br>Security | Day/<br>Year) | Code   | V |
|------------------------------|-------------------|---------------|--------|---|
| Stock Options (Right to buy) | \$5.1354          | 12/12/2001    | M/(2)/ |   |
| Stock Options (Right to buy) | \$5.1354          | 12/14/2001    | M/(2)/ |   |
| Stock Options (Right to buy) | \$5.1354          | 12/19/2001    | M/(2)/ |   |
| Stock Options (Right to buy) | \$ 15.40          | 02/13/2001    | A/(2)/ | V |

|                              | 6. Date Exer-<br>cisable and<br>Expiration<br>Date<br>(Month/Day/<br>Year) | 7. Title and Amount of<br>Underlying Securities<br>(Instr. 3 and 4) | 8. Price<br>of<br>Deriv-<br>ative<br>Secur-<br>ity<br>(Instr.<br>5) | 9. Numbe<br>of De<br>ative<br>Secur<br>ities<br>Bene-<br>ficia<br>Owned<br>at En<br>of<br>Month<br>(Inst |     |       |
|------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-----|-------|
|                              | Date<br>Exer-<br>cisable                                                   | Expira-<br>tion<br>Date                                             | Title                                                               | Amount or<br>Number of<br>Shares                                                                         |     |       |
| Stock Options (Right to buy) | / (3) /<br>10/18/<br>2000                                                  | 01/26/<br>2010                                                      | Common Stock                                                        | 108,000                                                                                                  | \$0 |       |
| Stock Options (Right to buy) | / (3) /<br>10/18/<br>2000                                                  | 01/26/<br>2010                                                      | Common Stock                                                        | 20,000                                                                                                   | \$0 |       |
| Stock Options (Right to buy) | / (3) /<br>10/18/<br>2000                                                  | 01/26<br>2010                                                       | Common Stock                                                        | 14,000                                                                                                   | \$0 | 333,0 |
| Stock Options (Right to buy) | / (4) /<br>02/13/<br>2002                                                  | 02/13/<br>2006                                                      | Common Stock                                                        | 300,000                                                                                                  | \$0 | 300,0 |

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Explanation of Responses:

See attached page(s)

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

Note: File three copies of this Form, one of which must be manually signed.  
If space provided 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

|                                 |                 |
|---------------------------------|-----------------|
| /s/ Kent J. Thiry               | August 30, 2002 |
| _____                           | _____           |
| **Signature of Reporting Person | Date            |

Thiry, Kent J.  
21250 Hawthorne Boulevard, Suite 800  
Torrance, CA. 90503  
DaVita Inc. (DVA)  
12/2001

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FORM 4 (continued) Explanation of Responses

|                                                                                      |                                                                     |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| Name: Thiry, Kent J.<br>21250 Hawthorne Boulevard,<br>Suite 800<br>Torrance CA 90503 | Statement for Month/Year: 12/2001<br>Issuer Name: DaVita Inc. (DVA) |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------|

Note: 1 Grant of Restricted Units which vest in three equal annual installments beginning on February 13, 2002. Mr Thiry has elected to defer vesting of the first and second installments until February 13, 2003 and February 13, 2004, respectively.

Note: 2 Nonqualified stock options granted under the First Amended and Restated 1997 Equity Compensation Plan.

Note: 3 Option for a total of 500,000 shares. The indicated option vests according to the following schedule: 125,000 shares vested on October 18, 2000, 125,000 shares vested on January 23, 2001, 125,000 shares vested on October 18, 2001 and 125,000 shares will vest on October 18, 2002.

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Note: 4 The indicated option vests in four equal annual installments beginning on February 13, 2002.