DAVITA INC Form 4 September 09, 2002

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|--|--|---|--|--|--|--|
| | / OMB APPROVAL | | | | | |
| | | / | | | | |
| ++ FORM 4 ++ | U.S. SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549 | | | | | |
| [_] Check this box if no longer subject to Section 16. | STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP | | | | | |
| Form 4 or Form 5 obligations may continue. See Instruction 1(b). (Print or Type Responses) | 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 | | | | | |
| 1. Name and Address of Re | eporting Person* | | | | | |
| Fontaine, Richard | d B. | | | | | |
| (Last) | (First) | (Middle) | | | | |
| 21250 Hawthorne Bl | lvd., Suite 800 | | | | | |
| | (Street) | | | | | |
| Torrance, CA 905 | 503 | | | | | |
| (City) | (State) | (Zip) | | | | |
| 2. Issuer Name and Ticker | or Trading Symbol | DaVita Inc. (DVA) | | | | |
| 3. I.R.S. Identification (voluntary) | Number of Reporting Pe | erson, if an entity | | | | |
| 4. Statement for Month/Ye | ear | 08/2002 | | | | |
| 5. If Amendment, Date of | Original (Month/Year) | | | | | |
| 6. Relationship of Report | ting Person(s) to Issue | er (Check all applicable) | | | | |
| Director Of | fficer give title below) | 10% Owner Other (specify below) | | | | |
| | roup Filing (Check Appl | | | | | |
| - | ce than One Reporting F | Person Sposed of, or Beneficially Owned | | | | |

| of Security | 2. Trans- action Date (Month/ Day/ | action Code (Instr. | 4. Securities Acquired or Disposed of (D) (Instr. 3, 4 and 5) | | | D) 5) | Sec Ben Own of | urities eficially ed at end month |
|--------------------------------------|--|---|---|------------------------------------|-----------|--------------|-------------------------|--|
| | Year) | | | | (D) | | | str. 3 and 4) |
| Common Stock | | | | | | | | |
| Common Stock | 06/30/2002 | A/(2)/ | V 3 | 337 | А | \$0.00 | 1,0 | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | vative Securit uts, calls, wa | arrants, opt | ions, d | convertible | securit | ies) | | |
| 1. Title of Derivat Security (Instr. | ivative | 2. Com sio Exe Pri Der ati | ver- n or rcise ce of iv- | 3. Trans actio Date (Mont | - 4. n | Transac- | | 5. Number of ative Secu |
| | | | | | | Code | V | (A) |
| Stock Options (R. | ight to buy) | \$25. | 22 | 04/11/ | 2002 | | / V | 18,000 |
| | | | | | | | | |

Table II--Derivative Securities Acquired, Disposed of, or Beneficially Owned

(e.g., puts, calls, warrants, options, convertible securities)

6. Date Exer— 7. Title and Amount of 8. Price 9. Numbe cisable and Underlying Securities of of De Expiration (Instr. 3 and 4) Deriv— ative Date ative Secur— (Month/Day/ Secur— ities Year) ity Bene— (Instr. ficia Secur— 5) Owned Date Expira— Amount or at en Exer— tion Title Number of of mo cisable Date Shares (Instr. Shares (Instr. 5) Shock

Explanation of Responses:

See attached page(s)

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 $4\,(b)\,(v)$.
- $\ensuremath{^{**}}$ 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/ Richard B. Fontaine 9/4/02
-----**Signature of Reporting Person Date

Fontaine, Richard B. 21250 Hawthorne Boulevard, Suite 800 Torrance, CA 90503 DaVita Inc. (DVA) 08/2002

Name: Fontaine, Richard B. Statement for Month/Year: 08/2002 21250 Hawthorne Blvd., Suite 800 Issuer Name: DaVita Inc. (DVA)

Torrance, CA 90503

- Note: 1 Grant of Restricted Units which will vest on March 31, 2003.
- Note: 2 Grant of Restricted Units which will vest on June 30, 2003.
- Note: 3 Nonqualified stock options granted under the First Amended and Restated 1997 Equity Compensation Plan.
- Note: 4 The option vests according to the following schedule: 7,333 shares on April 11, 2003, 7,333 shares on April 11, 2004, and 3,334 shares on April 11, 2005.