

Edgar Filing: THIRY KENT J - Form 4

THIRY KENT J
Form 4
August 30, 2002

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/ OMB APPROVAL /
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| FORM 4 |
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U.S. 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 08/2002

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

6. Relationship of Reporting Person(s) to Issuer (Check all applicable)

X Director X Officer 10% Owner Other
--- --- --- ---
(give title below) (specify below)

Chairman and 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

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Table I--Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

| 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 | (A) or (D) | |
| Common Stock | 02/13/2002 | A/(1)/ | V | 28,925 | A | \$0.00 | |
| Common Stock | 08/08/2002 | G | V | 4,166/(2)/ | D | \$0.00 | 110,093 |
| Common Stock | | | | | | | 53,666/(3) |

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.

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) | \$24.20 | 02/13/2002 | A/(4)/ | V |
| Stock Options (Right to Buy) | \$24.20 | 02/13/2002 | A/(6)/ | V |

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

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(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 Derivative Securities Beneficially Owned at End of Month (Inst |
|---|--|--|--|
| Date Exercisable | Expiration Date | Title | Amount or Number of Shares |
| 02/13/2004/(5)/ | 02/13/2007 | Common Stock | 100,000 |
| 02/13/2004/(5)/ | 02/13/2007 | Common Stock | 500,000 |

Explanation of Responses:

See attached pages

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).
- ** 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.

FORM 4 (continued) Explanation of Responses

/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)
08/2002

Name: Thiry, Kent J. Statement for Month/Year: 08/2002
21250 Hawthorne Boulevard, Suite 800 Issuer Name: DaVita Inc. (DVA)
Torrance, CA 90503

Note: 1 Grant of Restricted Units which vest in three equal annual installments beginning on February 8, 2004.

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Note: 2 Transfer of shares to the Thiry-O'Leary Living Trust.

Note: 3 Includes the 4,166 shares that were transferred to the Thiry-O'Leary Living Trust on August 8, 2002.

Note: 4 Nonqualified stock options granted under the First Amended and Restated 1997 Equity Compensation Plan.

Note: 5 The option vests 50% on the second anniversary date of the grant and 25% on each of the third and fourth anniversary dates of the grant.

Note: 6 Nonqualified stock options granted under the Amended and Restated 1999 Equity Compensation Plan.