

# SECURITIES AND EXCHANGE COMMISSION

## FORM 4

Statement of changes in beneficial ownership of securities

Filing Date: **2012-04-30** | Period of Report: **2012-04-26**  
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### REPORTING OWNER

#### **BERG CHARLES**

CIK: **1111804**

Type: **4** | Act: **34** | File No.: **001-14106** | Film No.: **12797377**

Mailing Address  
*48 MONROE TURNPIKE  
TRUMBULL CT 06611*

### ISSUER

#### **DAVITA INC**

CIK: **927066** | IRS No.: **510354549** | State of Incorporation: **DE** | Fiscal Year End: **1231**  
SIC: **8090** Misc health & allied services, nec

Mailing Address  
*1551 WEWATTA STREET  
6TH FLOOR  
DENVER CO 80202*

Business Address  
*1551 WEWATTA STREET  
6TH FLOOR  
DENVER CO 80202  
3034052100*

# FORM 4

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

## UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

### OMB APPROVAL

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## 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(h) of the Investment Company Act of 1940

1. Name and Address of Reporting Person <b>BERG CHARLES</b>			2. Issuer Name and Ticker or Trading Symbol <b>DAVITA INC [DVA]</b>			5. Relationship of Reporting Person(s) to Issuer (Check all applicable) <input checked="" type="checkbox"/> Director <input type="checkbox"/> 10% Owner <input type="checkbox"/> Officer (give title below) <input type="checkbox"/> Other (specify below)		
(Last)	(First)	(Middle)	3. Date of Earliest Transaction (Month/Day/Year) <b>04/26/2012</b>					
C/O DAVITA INC., 1551 WEWATTA ST.			4. If Amendment, Date Original Filed(Month/Day/Year)			6. Individual or Joint/Group Filing (Check applicable line) <input checked="" type="checkbox"/> Form Filed by One Reporting Person <input type="checkbox"/> Form Filed by More than One Reporting Person		
(Street)								
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 Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount	(A) or (D)	Price			
Common Stock	04/26/2012		A		136	A	\$ 0	9,234	D	

**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 Securities Underlying Derivative Security (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Beneficially Owned Following Reported Transaction(s) (Instr. 4)	10. Ownership Form of Derivative Security: Direct (D) or Indirect (I) (Instr. 4)	11. Nature of Indirect Beneficial Ownership (Instr. 4)
				Code	V	(A)	(D)	Date Exercisable	Expiration Date					

### Signatures

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

\*\* Signature of Reporting Person

04/26/2012

Date

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).

\*\* 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 is insufficient, see Instruction 6 for procedure.

**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 Number.**

FORM OF ATTORNEY

The undersigned, Charles E. Day (the "Filer"), being commissioned and appointed each of the U. States, James P. Hines, and Jeffrey S. Hillman, any of them require timely and with full power of administration, as Filer's true and lawful attorney-in-fact (the "Attorney at Law") to:

1. prepare, execute in Filer's name and behalf, and submit to the U.S. Securities and Exchange Commission (the "SEC"), a Form 10, including any amendments thereto, and any other documents necessary or appropriate to obtain review and publication of the SEC of reports required by Section 13(a) of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), or any rule or regulation of the SEC;
2. execute for and on behalf of Filer, in Filer's capacity as an executive officer of Office Inc. (the "Company"), Form 9, 4 and 5, including any amendments thereto (the "Forms"), in accordance with the Exchange Act, or any rule or regulation of the SEC;
3. do any act or thing that may be necessary or desirable to complete the execution of any Forms, and hereby give full and complete power and authority to the undersigned to:
4. take any other action of any type whatsoever in connection with the foregoing which, in the opinion of the Attorney-in-Fact, may be of benefit to, in the best interest of, or legally required by, Filer, or being understood that the documents executed by such Attorney-in-Fact on behalf of Filer pursuant to this Power of Attorney shall be in such form and shall contain such terms and conditions as such Attorney-in-Fact may approve in their discretion.

The undersigned hereby grants to Attorney-in-Fact full power and authority to do and perform any and every act and thing whatsoever, necessary or proper to be done in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the Filer might or could do if personally present; with full power of substitution or revocation, hereby certifying and confirming all that such Attorney-in-Fact, shall lawfully do or cause to be done by virtue of this Power of Attorney and the rights and powers herein granted.

These authorities that Attorney-in-Fact, in executing or causing to be executed any of the reports of Filer, or any extension of any of Filer's responsibilities in connection with the Exchange Act, shall survive in full force and effect until the date on which Filer is no longer required to file Form 9, 4 and 5 with respect to Filer's holdings of and transactions in securities issued by the Company, unless earlier terminated by Filer in a signed writing delivered to Attorney-in-Fact.

This Power of Attorney shall be effective on the date set forth herein and shall continue in full force and effect until the date on which Filer is no longer required to file Form 9, 4 and 5 with respect to Filer's holdings of and transactions in securities issued by the Company, unless earlier terminated by Filer in a signed writing delivered to Attorney-in-Fact.

IN WITNESS WHEREOF, Filer has caused this Power of Attorney to be executed as of the 9th day of April, 2010.

\_\_\_\_\_  
Charles E. Day