

DAVITA INC  
Form 8-K  
March 27, 2006

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

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**Form 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the**  
**Securities Exchange Act of 1934**

Date of Report (date of earliest event reported): March 21, 2006

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**DAVITA INC.**

(Exact name of registrant as specified in its charter)

**Delaware**  
(State or other  
jurisdiction of incorporation)

**1-14106**  
(Commission File Number)

**No. 51-0354549**  
(IRS Employer

Identification No.)

**601 Hawaii Street**

**El Segundo, California 90245**

(Address of principal executive offices including Zip Code)

**(310) 536-2400**

(Registrant's telephone number, including area code)

**Not applicable**

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

## Edgar Filing: DAVITA INC - Form 8-K

- .. Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - .. Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**INFORMATION TO BE INCLUDED IN THE REPORT**

**Item 1.01. Entry Into Material Definitive Agreement**

On March 21, 2006, the Compensation Committee of the Board of Directors of DaVita Inc. (the Company ) established the operating income target that will serve as the 2006 performance goal under the DaVita Inc. Executive Incentive Plan (the Plan ) for Kent J. Thiry, the Company s Chairman and Chief Executive Officer, and Joseph C. Mello, the Company s Chief Operating Officer. If the 2006 performance goal is achieved, Mr. Thiry and Mr. Mello will be eligible for a cash and restricted stock award for 2006 performance under the Plan. The Committee has the discretion to make such cash and/or restricted stock awards under the Plan as it believes to be in the best interests of the Company.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Date: March 27, 2006

DAVITA INC.

/s/ Joseph Schohl  
**Joseph Schohl**  
**Vice President, General Counsel and Secretary**