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August 7, 2002

**VIA FACSIMILE (202) 942 9651  
AND OVERNIGHT DELIVERY**

Jonathan G. Katz  
Secretary  
Securities and Exchange Commission  
450 Fifth Street, N.W.  
Washington, DC 20549-0609

RECEIVED  
OFFICE OF THE SECRETARY

AUG 7 2002

**Re: Securities and Exchange Commission ("SEC") Order No. 4-460**

Dear Mr. Katz:

Pursuant to SEC Order No. 4-460, enclosed are the sworn statements of DaVita Inc.'s chief executive officer and chief financial officer regarding facts and circumstances relating to DaVita's Exchange Act filings.

Please acknowledge receipt of these statements by stamping the enclosed copy of this letter and returning it to me in the enclosed postage paid envelope.

Sincerely,

Steven J. Udicious  
Vice President, General Counsel and Secretary

Enclosures

SJU/na

cc: Kent J. Thiry  
Richard K. Whitney

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OMB Number: 3235-0569  
Expires: January 31, 2003

**STATEMENT UNDER OATH OF PRINCIPAL EXECUTIVE OFFICER  
REGARDING FACTS AND CIRCUMSTANCES  
RELATING TO EXCHANGE ACT FILINGS**

I, Kent J. Thiry, Chairman and Chief Executive Officer, state and attest that:

1. To the best of my knowledge, based upon a review of the covered reports of DaVita Inc. (the "Company"), and, except as corrected or supplemented in a subsequent covered report:

- A. No covered report contained an untrue statement of a material fact as of the end of the period covered by such report (or in the case of a report on Form 8-K or definitive proxy materials, as of the date on which it was filed); and
- B. No covered report omitted to state a material fact necessary to make the statements in the covered report, in light of the circumstances under which they were made, not misleading as of the end of the period covered by such report (or in the case of a report on Form 8-K or definitive proxy materials, as of the date on which it was filed).

2. I have reviewed the contents of this statement with the Company's audit committee.

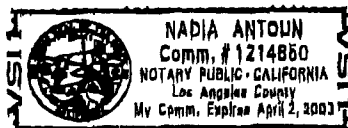
3. In this statement under oath, each of the following, if filed on or before the date of this statement, is a "covered report":

- A. Annual Report on Form 10-K405 for the year ended December 31, 2001 of DaVita Inc.;
- B. All reports on Form 10-Q, all reports on Form 8-K and all definitive proxy materials of DaVita Inc. filed with the Commission subsequent to the filing of the Form 10-K405 identified above; and
- C. Any amendments to any of the foregoing.

Kent J. Thiry  
 Kent J. Thiry  
 Chairman, Chief Executive Officer  
 Date: August 7, 2002

Before me this 7<sup>th</sup> day of August, 2002.

Nadia Antoun, Notary Public  
Notary Public



My Commission Expires:  
April 2, 2003

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AUG 7 2002