

DAVITA INC.  
Form 8-K  
February 01, 2017

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

**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): January 19, 2017**

**DAVITA INC.**

**(Exact name of registrant as specified in its charter)**

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

**1-14106**  
**(Commission**  
**File Number)**  
**2000 16<sup>th</sup> Street**

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

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**Denver, CO 80202**

**(Address of principal executive offices including Zip Code)**

**(303) 405-2100**

**(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:

Written communications pursuant to Rule 425 under the Securities Act (17 CFR 240.425)

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))

**Item 7.01 Regulation FD Disclosure**

DaVita Inc. (the Company) had a lawsuit pending in the U.S. Court of Federal Claims against the federal government, which was originally filed in May 2011 and previously disclosed by the Company. The lawsuit related to the U.S. Department of Veterans Affairs (VA) underpayment of dialysis services the Company provided from 2005 through 2011 to patients pursuant to VA regulations. The Company and the government amicably reached a resolution of the Company's claims for \$538 million, which will be subject to taxes and consideration of non-controlling interests. This one time settlement is expected to be recognized in the financial statements that will be included in the Company's Quarterly Report on Form 10-Q for the first quarter 2017.

The information contained in Item 7.01 of this Form 8-K is being furnished and shall not be deemed to be filed for the purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act), or otherwise subject to the liabilities of that section and shall not be incorporated by reference in any filing under the Securities Act of 1933, as amended or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

**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: January 31, 2017

DAVITA INC.

/s/ Kathleen Waters  
Kathleen Waters  
Chief Legal Officer