

PUBLIC VERSION

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

COMMISSIONERS: Deborah Platt Majoras, Chairman
Pamela Jones Harbour
Jon Leibowitz
William E. Kovacic
J. Thomas Rosch

In the Matter of

DAVITA INC

File No. 051 0051 Doct No. C 4150

PETITION OF DAVITA INC. FOR APPROVAL OF PROPOSED DIVESTITURE

Pursuant to Section 2.41(f) of the Federal Trade Commission ("Commission") Rules of Practice and Procedure, 16 C.F.R. 241.4(f) (2007) and Paragraph II of the Decision and Order in

the above captioned matter (the "Order"), DaVita Inc. ("DaVita") hereby petitions the Commission to approve the divestiture of the Owned Real Property (as defined in the Order) to The Armstrong Group and Oman-Gibson Associates

or Acquirers that receive the prior approval of the Commission. The Owned Real Property refers to the real property of four of the dialysis clinics. Respondent has already divested each of the four dialysis clinics to Renal Advantage, Inc., a Commission approved buyer. The remaining

Acquirers for the Owned Real Property and seeks Commission approval for its proposed divestiture of the Owned Real Property.

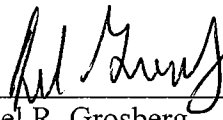
This Petition describes the principal terms of the agreement by which DaVita proposes to divest the Owned Real Property to the Armstrong Group and Bond One. As more fully

V. Conclusion

The proposed divestiture to The Armstrong Group and to Oman-Gibson Associates will accomplish the purposes of the Consent Agreement. Both buyers have the financial capability and relevant experience to accomplish the stated goals of the Order. Accordingly, DaVita requests that the Commission approve the proposed divestiture.

Dated: February 1, 2006

Respectfully submitted,



Joel R. Grosberg
McDermott Will & Emery
Counsel for DaVita Inc.