DaVita Receives Civil Complaint

DaVita Inc. , today announced it received a copy of a civil complaint filed in U.S. District Court for the Central District of California by plaintiff Sheet Metal Workers National Health Fund. The complaint names as defendants Amgen, Inc., Fresenius Medical Care Holdings, Inc. and DaVita Inc. The complaint, which has not yet been served on DaVita, is styled as a request for class action and alleges claims against DaVita relating to the administration and use of Epogen®. The complaint's principal allegations against DaVita are that Epogen® was administered to hemodialysis patients intravenously, as opposed to subcutaneously, and that Epogen® was over-utilized.

(Logo: http://www.newscom.com/cgi-bin/prnh/20020729/DAVITALOGO)

DaVita administers Epogen® only pursuant to a physician's order, and the physician determines both the dosage amount and route of administration of Epogen®. Also, the FDA-approved package insert for Epogen® recommends that Epogen® be administered intravenously for patients on hemodialysis. DaVita intends to vigorously defend the plaintiffs' claims and allegations contained in the complaint.

DaVita is a leading provider of dialysis services for patients suffering from chronic kidney failure. DaVita operates and provides administrative services to approximately 1,300 outpatient dialysis centers located in 42 states and the District of Columbia, serving approximately 104,000 patients.

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