DaVita Response to Legal Ruling

DENVER, June 27, 2018 /PRNewswire/ -- DaVita Inc. (NYSE: DVA) provided the following statement relating to a jury verdict issued in the Menchaca v. DaVita Inc., Saldana v. DaVita Inc. and Hardin v. DaVita Inc. matters, Case No. 1:15-cv-02106-RBJ.

The following is attributable to DaVita Inc.

We strongly disagree with this jury's verdict and will vigorously pursue all appeal rights.

- GranuFlo is an FDA-approved product that has been in continuous use for more than 25 years. The issues raised regarding its alleged negative clinical side effects have been debunked and nephrologists use it daily for their patients. The plaintiffs in this case did not even claim that the product itself was dangerous.
- The facts in the trial contradict the allegations upon which this verdict is premised. There was substantial evidence that the GranuFlo product is safe and effective, and no evidence that we or the manufacturer of GranuFlo hid any data contradicting its safety or effectiveness.
- Multiple grounds exist to eliminate, or significantly reduce, the damages award so as to eliminate any material financial responsibility. The punitive damage awards for each of the three plaintiffs dramatically exceeds the limits imposed under the applicable state laws in California and Illinois, as well those set forth by the United States Supreme Court, relative to the size of the compensatory damage awards. The punitive damages award in this case are over 44 times greater than the compensatory damages.

Our first priority is the safety of our patients. Our clinical outcomes - among the best in the industry - demonstrate our commitment to providing the highest level of care. We will pursue any and all avenues of appeal to overcome this unjust verdict and believe today's verdict is unlikely to stand.

Cautionary Statement Regarding Forward-Looking Statements

This press release contains statements that are forward-looking statements within the meaning of Section 27A of the Securities Act of 1933, as amended, and Section 21E of the Securities Exchange Act of 1934, as amended. DaVita intends these forward-looking statements to be covered by the safe harbor provisions for such statements. All statements that do not concern historical facts are forward-looking statements and include, among other things, statements about our expectations, beliefs and/or intentions for the future such as statements that we will pursue all appeal rights, grounds that exist to eliminate, or significantly reduce, the damages award, and the likelihood that the verdict will stand. These statements can sometimes be identified by the use of forward-looking words such as "may," "believe," "will," "should," "could," "would," "expect," "anticipate," "plan," "continue," "seek," or "intend" or other similar words or expressions of the negative thereof. These statements involve substantial known and unknown risks and uncertainties that could cause DaVita's actual plans and future events to differ materially from those expressed or implied in the forward-looking statements, including, but not limited to the risks and uncertainties associated with the outcome of litigation, including any appeals of this matter, the timing of resolution or ultimate losses; and the risk factors set forth in DaVita's filings with the U.S. Securities and Exchange Commission ("SEC"), including its Annual Report filed on Form 10-K for the year ended December 31, 2017, its Quarterly Report filed on Form 10-Q for the quarter ended March 31, 2018 and subsequent reports filed with the SEC. These forward-looking statements should be considered in light of these risks and uncertainties. DaVita bases its forward-looking statements on information currently available to it at the time of this report and undertakes no obligation to update or revise any forward-looking statements, whether as a result of changes in underlying circumstances, new information, future events or otherwise.

DaVita Inc., a Fortune 500® company, is the parent company of DaVita Kidney Care and DaVita Medical Group. DaVita Kidney Care is a leading provider of kidney care in the United States, delivering dialysis services to patients with chronic kidney failure and end stage renal disease. As of March 31, 2018, DaVita Kidney Care operated or provided administrative services at 2,539 outpatient dialysis centers located in the United States serving approximately 198,000 patients. The company also operated 241 outpatient dialysis centers located in 10 countries outside the United States. DaVita Medical Group manages and operates medical groups and affiliated physician networks in California, Colorado, Florida, Nevada, New Mexico and Washington in its pursuit to deliver excellent-quality health care in a dignified and compassionate manner. DaVita Medical Group's teammates, employed clinicians and affiliated clinicians provided care for approximately 1.7 million patients. For more information, please visit DaVita.com/About.

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